The Forum.

JANUARY, 1892.

SHALL THE LOTTERY'S CHARTER BE RENEWED?

FROM one border to the other the State of Louisiana is in a ferment. Never in all its history, varied and exciting as that has been at times, has a contest been known in which the people have been so deeply and so universally aroused as they are now aroused by the question of the extension of the life of the Louisiana Lottery.

On one side is a band of lottery-gamblers grown very rich upon their nefarious business and willing to spend enormously for the perpetuation of their monopoly; and with them is every element of the population that is purchasable or controllable by considerations of a selfish character. Unfortunately they have also the countenance and support of many honest but misguided men who have convinced themselves that the State of Louisiana is sunk in the depth of poverty, and that she will be justified in licensing gambling on the same principle that the liquor traffic is laden with a tax for government support.

On the other side are arrayed all who are opposed as a matter of principle to gambling in any shape or under any circumstances, together with a larger number not so extreme in their views yet opposing this gambling institution as destructive of the best and dearest interests of the State.

The Louisiana Lottery Company had its origin during the dark days of Reconstruction. Its charter was obtained in 1868 (Act 25 of 1868, page 24), and the grant was for a period of twenty-five years, to date from January 1, 1869. At the time of the passage of this charter, Henry Clay Warmoth was sitting in the gubernatorial chair, Oscar

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J. Dunn, a full-blooded negro, was lieutenant-governor, and Charles W. Lowell was speaker of the house of representatives. Henry Clay Warmoth did not sign the bill, but he did not veto it. He knew that the act would become a law within a prescribed time if not vetoed. Had he vetoed it, a two-thirds vote would have been required to pass the measure over his objection.

That the charter was obtained originally by means of bribery and corruption, no one in Louisiana denies. The Supreme Court of the State solemnly pronounced to that effect in discussing the evidence submitted to it, in the case of C. C. Antoine *vs.* D. D. Smith *et al.* (40, Louisiana Annotated Reports, 560). In the circuit court of the United States sitting in New Orleans two of the parties named in the charter, Wilder and Irwin, made formal oath to the same effect (Henry Daponte *vs.* Louisiana Lottery Company *et al.*).

In 1879 the legislature of Louisiana after a close and desperate contest abrogated the charter of the company, but a United States judge was found bold enough to stay by writ of injunction the operation of the repealing statute. During that same year a constitutional convention assembled in New Orleans to prepare and to submit to the people of Louisiana a new constitution. The white population had at last gained the full control of the State, and they chafed under the organic law in force which had been imposed upon them in 1868, when carpet-baggers and negroes were dominant. Before this constitutional assemblage the Lottery Company appeared, pleading that their charter was a contract protected by the constitution of the United States, and binding upon the conscience of the State. Some honest members were deceived into taking this view, influenced by the pretence that the Lottery Company had aided in securing the overthrow of the negro and alien domination. They were further misled by the promise that the monopoly-feature of the lottery's charter should be waived, and that at the expiration of the current charter-license there should be no more lottery-gambling in Louisiana. To satisfy this contingent, there was a formal declaration imbedded in the body of the proposed constitution, article 172, declaring gambling a vice, and commanding the legislature to enact laws for its suppression; and another formal clause, article 167, declaring that after January 1, 1895, all lotteries in Louisiana should be unlawful. Thus the Lottery Company pledged itself formally to renounce its monopoly, and provision was made for the licensing of rival companies, upon paying an equal bonus.

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This contingent of the misled, added to the corrupt element upon the floor of that convention, succeeded in fixing in the proposed constitution an article ratifying the lottery charter, under the conditions stated; all which, however, was accomplished by a narrow majority. The opponents of the lottery desired to have this feature of the instrument submitted to the people separately from the rest, but, justly fearing its defeat before the voters, the friends of the company would not hear to the proposal. Thus it was that the people of Louisiana found themselves with no option, except as to the ordinance affecting the State debt, other than to adopt or to reject the constitution submitted to them as a whole. At that time the lottery was not the powerful institution which it has since grown to be. It was not known to the people in the full development of wickedness to which it has since attained. So it was that rather than reject a constitution admirable in other respects and one long hoped for, they ratified it as a whole. Thus, it will be perceived, the assertion is false that the people of Louisiana have ratified this iniquity by an overwhelming popular vote, as the Lottery Company has been advertising, now so many years, to the world.

The solemn contract entered into by the Lottery Company to abandon its monopoly has never been more than a paper-promise. While it is true that the corporation filed with the secretary of state a notarial renunciation, yet as a matter of fact it has seen to it that no rival company has ever been able to secure from the legislature a charter enabling it to enter the field. The retainers of this monopoly always affected the highest moral ideas whenever it came to dealing with applications for conflicting charters, bewailing the evils of all lotteries and protesting against their multiplication within the bounds of the State. Now, however, that there are chance and hope of freeing the State entirely from the lottery curse, these same individuals have, many of them, the effrontery to defend lotteries and to denounce as fanatics the people who stand for the very principles that they themselves hypocritically advanced and acted upon when it was to the interest of their master to preach such doctrine.

The opponents of the re-chartering of the Lottery Company rest their opposition upon very many grounds. In the first place, they protest against this attempt to secure a longer term for lottery-gambling in this State as a flagrant violation of the solemn covenant imbedded in the constitution; by reason of which covenant these men are in justice obligated to be satisfied with what they have acquired

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during one term and to allow Louisiana now to be, as other States are, free from chartered gambling. Without such a compact, the Lottery Company would never have carried the day upon the floor of the constitutional convention of 1879; and, without the intervention of that body, the repealing statute of 1879 would have gone into force.

They consider that this act of bad faith on the part of the Lottery Company abundantly justifies the conviction that the true issue is not merely whether this company shall live among us during a quarter of a century longer; but whether Louisiana shall become forever a gamblers' State. They feel that, as now the Lottery is spending its money and using every effort to gain a new charter, so at the expiration of the second term, the parties now or then in interest will be still unwilling to surrender the advantage they have; and that, with accumulated wealth and increased power and influence, it will be theirs to command perpetuation of the license.

The anti-lottery citizens of Louisiana refuse to forget the very definitions of their dictionaries; refuse to recognize in Mr. John A. Morris, Mr. Albert Baldwin, Mr. John F. Herwig, Mr. P. B. S. Pinchback and the other lottery magnates other men than gamblers. On the contrary they consider them the worst type of gamesters, since they extend their operations so as to include within their compass our very women and children. They see no guarantee for the State, beyond the pledges of men who follow a nefarious business and conduct even that in a manner which the ordinary gambler considers as beyond the pale.

The proposition now before the people is one to engraft a lottery charter into the very fundamental law of our State, and this for a quarter of a century. It is, to say the least, a novel spectacle to behold a State consecrating in its very constitution a gambling license. The question of tolerating or prohibiting lotteries is essentially one of police. As such it should in all propriety be left open for succeeding legislatures to regulate and control. Here it is proposed actually to tie up the hands of the legislative branch of the government and in fact all other branches, so that, however grievous a nuisance this lottery may come to be, it cannot be abolished except by the difficult and tedious process of amending the constitution.

Other nations have established lotteries, but they have not surrendered all right to determine or to control, according to justice, the terms and conditions of the drawings. They have not abandoned the unfortunate player entirely to the hands of those establishing the

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game. Gamblers are not a scrupulous kind, and no sentiment of justice or fairness towards their victims can be relied upon to restrain them in the conduction of their business. The law, if it vests them with the character of public agents or servants, should preserve control over them in the interest of the public. What would be said of a legislature which should yield into the hands of the common carriers of the State the absolute right of fixing to suit themselves tariffs for passenger or freight traffic, without remedy either from legislature or from the courts against extortion? What would be thought of a Commonwealth which should accord to an individual or to a single company the exclusive privilege of building and operating railways within its borders, and there stop, confiding all else to the indisputable control of the grantee? If the country would cry out against a grant of this character, even to men engaged in establishing and maintaining interests of undoubted utility, nay of such absolute necessity to the State as railroads, what should be said of a people willing in this outrageous manner to place a band of licensed gamblers above the reach and control of the public authority?

Startling as it may seem, just such is the condition of affairs in connection with the privilege proposed to be given in Louisiana to John A. Morris and his associates. So far as the State is concerned, the proposed amendment binds her tight and fast; so far as the proposed grantees are concerned, the matters are left to their largest discretion; and, all this in the face of the fact that it can be demonstrated from the very terms of the schemes advertised by the Lottery Company in our public journals, that its dealings with its patrons have all along been conducted upon lines of absolute robbery.

The ordinary gambler, conducting what is known as a banking game, satisfies himself with a percentage of the stakes won by players, amounting to, say, 15 per cent. Surely this of itself is a margin broad enough. It is an enormous profit to draw without risk or even outlay out of the money of other people. As to lotteries, about the same percentage to the conductors is what has been usual. But our Louisiana Lottery Corporation discounts in its own behalf the schedule-rate of the keno-shop: it sinks into insignificance the exactions of all other and preceding lotteries.

For verification of this charge of outrageous and shameless robbery advanced against Louisiana's gambling corporation, let us consider the published conditions of its monthly drawings. These drawings are advertised always with much rhetorical flourish. Not

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satisfied with styling them "grand" they are proclaimed as "extraordinary;" and extraordinary they are in a plurality of senses. There are twelve of them every year, one for each month. Two of the twelve are proclaimed as having each a capital prize of $600,000. The other ten are more modest, contenting themselves with capital prizes of only $300,000 each. For the two drawings with the larger capital prizes there are 100,000 tickets issued, at $40 each. In reality, since the tickets are divided into coupons at a dollar each, there are 4,000,000 tickets, upon no one of which is it possible to win more than $15,000. The other way of putting it, however, sounds grander and proves consequently more delusive and enticing.

It is manifest that, if the company sells all its tickets for one of these semi-annual drawings, it takes into its coffers $4,000,000, the money of other people. For the two drawings of this character, therefore, the proceeds of the sale of all tickets, if sold, must amount to the enormous sum of $8,000,000.

The same number of whole tickets, 100,000, is issued for each of the remaining ten monthly drawings; but now the whole tickets are divided into twenty one-dollar coupons. The proceeds of these $300,000 prize-drawings, if all tickets are sold, amount to $2,000,000 each. For the ten, we have, therefore, the aggregate of $20,000,000. It is seen by these figures that the company issues for its twelve monthly drawings tickets of the face value of $28,000,000.

The advertised lists of prizes in connection with these drawings are as follows: For the two, with capital prizes of $600,000 each, 3,144 prizes, aggregating $2,109,600. For the ten other drawings there are for each 3,143 prizes of a total value for each drawing of $1,054,800. We have now the figures necessary to comprehend the scheme, as follows:

Face value of tickets, twelve drawings	$28,000,000
Total of prizes, twelve drawings	14,767,200
Remainder, representing gross profits	$13,232,800

It is doubtless true that all tickets issued are not sold; but this does not affect the dishonesty of the general rate. So, the unsold tickets are placed in the wheel, with the sold, and the company is the beneficiary of the winnings upon them.

The meaning of this is, that the company would sell tickets to the value of $28,000,000 and collect the same; generously refund to a comparatively small number of winners less than $15,000,000, and

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appropriate to themselves more than $13,000,000. In other words this company takes a trifle less than 47 per cent for themselves, a trifle more than 53 per cent for the limited band of winners. This is as near to an appropriation of one half as these men dared to venture. The daily drawings, the scheme which fleeces the miserably poor, are cast in a still more dishonest mould. And it is to individuals who have been exploiting the public at such a rate that the proposed constitutional amendment proposes to leave all discretion and control over the regulation of the plans of drawing and the manner of conducting the business.

The figures given above serve to make clear another objection which is being urged against the re-chartering of the Louisiana Lottery Company, and that is that it is dishonest; in plainer language, that it is legalized robbery. If Louisiana must have chartered and monopolistic gambling, at all events she should have the decency to provide for something having at least the semblance of honesty.

We contend that, while submitting individual purchasers of tickets to the monstrous exactions of this lottery monopoly, the proposed amendment does the grossest injustice to the State itself. We have seen that we are dealing with a business enormously profitable, one bringing in millions annually without risk and without labor. Now, upon what foundation does this money-coining business rest? What does the favored corporation contribute? And what comes from the State? All that the former contributes is a certain gray building on Saint-Charles street in the city of New Orleans, a lottery-wheel of the most recently approved fashion, some office furniture and general paraphernalia. A few tens of thousands of dollars will cover it all. The true capital, if such it can be designated, is the franchise and the monopoly, with police protection to back all; and these things the State alone does or can furnish. John A. Morris and all his associates might be in an instant obliterated; new managers might be placed in charge, and the lottery would go on without disturbance. It ought to be plain that, if Louisiana be as poverty-stricken as it is pretended that she is, she ought to the best advantage to dispose of the franchise which was hers. If she stands in such crying need of a million and a quarter a year, how much more relief would she derive from the many millions which the grantees in the case expect to realize every year? How many levees could she build, how many schools establish, how many charitable institutions rear and maintain, did she command Morris & Company to be satisfied with what

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they have, and herself conduct the gambling concern for the future, all for her own profit?

But it is calumny to depict Louisiana as a beggar-State. She has a rich soil and a genial climate. Compared to Mississippi, her neighbor, she produces a cotton crop not greatly less and she has further, what Mississippi has not, a sugar crop, a rice crop, and within her borders a great and wealthy city.

But, if honorable legislators were so sensitive about Louisiana's honor as to draw distinctions between partnership in a gambling business on the one hand, and being principal on the other, what was in the way of opening the entire matter to competitive bidding? Is Mr. John A. Morris, not to mention his silent partners, the only man in all the world to appreciate the value of a money-mill of this kind? Are there no capitalists in this country or in Europe who would be delighted to acquire such a "bonanza" as this monopolistic lottery license from the only American State base enough to charter vice and extortion?

Not only did the Legislature of Louisiana which submitted the proposed amendment to the people not invite competition and rival bids; but, when Newgass, scenting the bait from afar, telegraphed his offer across the ocean, raising the bid of Morris by $250,000, the body of the lottery cohort upon the legislative floor stood ready to accept the lower offer of John A. Morris. It was only the objection of Mr. Lawton, of New Orleans, to the acceptance of a lower bid in the very face of a higher one, together with the necessity in which they stood of having Lawton's vote and with it to close out the matter, that raised the Morris bid to an equal sum with the uninvited and unexpected bid of Newgass. And having thus closed up again their wavering ranks, the matter was speedily pushed through, under the terror no doubt of other and higher bids coming in upon them.

While upon this subject of the action of the Legislature in question, it is in order to mention that, during the course of the struggle over the measure, one of the most respected of Louisiana's State senators, the Hon. Murphy J. Foster, of Saint Mary, called attention to grave charges of bribery and corruption as being employed by the Lottery Company and its agents, and demanded an investigation. An honest legislative body would have heeded such a challenge, and been anxious to bring the guilty to justice, or at least to vindicate the good name of the body. Startling as it may seem, the majority practically confessed judgment upon the charges by refusing an investigation.

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Other features connected with the history of the last session of the Louisiana Legislature go toward justifying the charge which opponents of the lottery make, that the necessary majority was completed by the purchase of legislators. Certainly a legislature, dealing with such a matter as the disposition of a franchise of this character, should be placed in a position to know the value of what was to be disposed of, so as to be able to judge whether its value was offered. The Louisiana Lottery Company is a chartered corporation, and the constitution of the State requires all such chartered corporations to keep certain books open to public and interested inspection. Whether such a clause were in force or not, a corporation chartered by statute and conducting what is in the nature of a public business is always subject to legislative investigation. The only true method of ascertaining the value of this particular franchise was by investigating the profits it had been realizing in the past. But the legislative majority would listen to nothing calculated to be so disquieting to their friends as this.

Indeed the future historian, when he studies the minutes of the two Houses of the Louisiana Legislature during its last session, will wonder whether it was not a mistake to suppose that a number of its members had taken an oath in behalf of the State and people for a faithful discharge of duty; and whether, in fact, the oaths taken were not in the behalf of John A. Morris and his associates.

This leads to another consideration advanced by the anti-lottery citizens of Louisiana against the perpetuation of the life of this company. The highest judicial authority has decided that a charter of this kind cannot fall within the protection of the federal constitution, in so far as that instrument guarantees contracts from impairment. The toleration, or a suppression, of gambling is and always must remain a matter of police power. No one legislature can tie up the hands of succeeding ones in anything pertaining to the regulation of the morals of a commonwealth. Therefore, the Louisiana Lottery Company can never find safety against the exertions of the honest citizens of the State who have sworn unending war against it, except by maintaining control over successive legislative bodies and over the judicial and executive officers of the State. Its most potent agency to such an end is bribery and corrupt combination; and we feel that to perpetuate the lottery in Louisiana is to give to the State a series of venal legislatures and venal executive officers, with a complaisant judiciary. We feel that it is to surrender the politics of our

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Commonwealth into the hands of this rich and unscrupulous gambling corporation, to close the avenues of political, and indeed of all, preferment against those unwilling to wear the lottery-collar upon their necks.

We object further to selling the honor and fair fame of our State for a price. We are well aware that the general sense of the civilized world is against lottery-gambling and above all against such gambling legalized and indorsed by government sanction. We are unwilling that Louisiana should be of all the States the only one to accept a bribe in order to constitute herself the Monaco of the American Union. We are well aware that no more grievous stain can rest upon the manhood of a commonwealth, than that its citizens should be so degraded as to be unwilling to support its government by the usual honest methods, relying instead upon gambling, and that, to a great extent, with women and children.

The Lottery Company proclaims that the great bulk of its earnings comes from other States; and this is advanced as a conclusive reason why Louisianians should be enamored of it. Were this strictly true, they insult our sense of common honesty most shamefully, by supposing us ready to hold honor and virtue to be matters of mere geography. Moreover, we of Louisiana are greatly interested in the protection of our alluvial lands against the floods which the Mississippi brings down upon us from the entire surface of the great Mississippi Valley. We consider that the States whose drainage comes past our doors are in justice bound to assist us in handling the vast volume of water sent down upon us. The fair-minded people of the country are coming to recognize our claim in this regard and are aiding us already substantially from the national treasury with every prospect of sooner or later making the maintenance of our levees a matter of federal care. But if the people of Louisiana accept the pirate logic proposed to them, need they expect the outraged and plundered States, north, south, east, and west, to add to the sum of our robberies, money voted by themselves from the national coffers, for the building and keeping up of our levees? Fine business this, to cast away the millions which the national government may be expected to give for the few hundreds of thousands which this corporation promises! But it is not true that our sister States will tolerate the violation of their laws and the spoliation of their citizens by this company; and it is true, that the lottery will have to look hereafter to Louisiana for the greater portion of its gains. It will multiply its

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offices throughout the State, especially those wherein tickets for the daily drawing are on sale. In time every town and village of Louisiana and every cross-roads within reach of the telegraph will be made to pay toll of this character; and our State will turn into the coffers of this company very, very many times more than it returns. As it is, it is highly probable that the lottery subtracts from the pockets of our own people $4,000,000 annually; and the promise to return less than a third of that sum is considered by some to be a good bargain.

One noticeable feature of the pending contest is the fact that the small tradesmen seem in a majority against the lottery. They are so for another business reason which has been advanced in the course of discussion. The millions which find their way into the lottery treasury is money extracted principally from the channels of legitimate trade. The workingman who receives fifty or sixty dollars or thereabouts every month has a place in which to lay every one of the dollars coming to him. If, out of the sum received, he or his wife squander five, or seven, dollars monthly in lottery gambling, either the landlord, the butcher, the baker, the clothier, or the shoe-merchant has to suffer. This same consideration has broader application, and applies at second-hand to the larger dealer; and so also it affects the mechanic and the laborer, since it decreases the capacity of the community to employ. Opponents of the lottery maintain that the State would profit more by leaving all this money in honest circulation, so as to improve the condition of individuals and promote trade, than by having it appropriated in the way it is now appropriated simply that a fraction of it may be refunded to the State treasury.

The strongest objection of all, however, is the one of immediate morals. The State is organized to suppress crime. When it reverses this order and constitutes itself the guardian and the promoter of vice, it is violating the sacred trust confided to it. What would be said of a government which should place robbery or assassination under toll and license a corporation with full authority to plunder or to kill? They attempt an answer to this by pretending that gambling cannot be prevented, and that therefore it should be regulated and made to contribute to the needs of the State. What vice is there in all the catalogue that can be entirely extirpated? Despite all laws, despite juries, jails, and even the gallows, is there not a succession of homicides? But numerous as such killings are, what would be the fearful total were the State to cease all efforts at suppression; and, worse still, were she to abet and foster crime of this atrocious character?

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Who would think of demanding that the federal government withdraw its cutters from the seas, and discharge its force of revenue officers on the plea that smuggling can never be entirely prevented? Strange that men can see no difference between a state of things whereunder a few surreptitious lottery pedlers sell by stealth, and a state of things whereunder we have to tremble for the law, and the community is poisoned with open lottery shops, and the lanes and streets are flooded with an army of brazen and persistent ticket venders!

Even were it a hopeless task for a government to repress crime, that furnishes no honest reason why it should take it into open official favor, and become a confessed partner in its practice. The ultimate foundation of peace and good order is individual morality. No law can check vice among a people wholly abandoned to its practice. Of what avail are statutes against robbery among a population living by plunder? What more potent agency in the way of maintaining individual virtue than pure public opinion? A community will preserve its morals so long as vice is feared and despised. The moment it loses the dread and the hatred of wrong-doing, that moment does vice come into the ascendency. What sort of political economy is it which boldly counteracts the teaching of our firesides, that gambling is a vice to be abominated and shunned? How shall the rising generations be induced to contemn and fear this most insidious of temptations, when the State holds it constantly before them as the one great benefactor of the Commonwealth? How shall our children despise the gambler who is providing for their education, rearing the levees which keep out the floods, and supporting hospitals and asylums for orphans and the insane?

As it is, we are surrounded by visible evidences of the demoralization already accomplished among our people. We have a horror and great dread for the progressive consequences which must flow from twenty-five years more of this hideous trade, this systematic debauching of a people according to the latest and most improved of business methods. Already our servant girls are becoming in considerable numbers practised and habitual thieves, putting our market baskets under daily toll for lottery money. The number of defalcations large and petty is multiplying. The number of lottery offices has multiplied, and the roll of their habitual customers is growing steadily. Saddest of all, this roll numbers a multitude of women and of children, the latter including those of tender years. Your lottery

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vender has no compunctions, nothing in the shape of commiseration. He will hand out the ticket to the poor starved woman, though he must guess that the twenty-five cents handed to him in return is taken from the scanty table of herself and children. He will write out the combination for the servant girl though he be aware that the nickels she hands him are filched from the money intrusted to her for the purchase of food for her employer. He will smile a treacherous smile into the childish face of the toddling infant, who gives him the cents got for other and better purposes and laying at the same time the foundations of future ruin for itself.

There are fathers of families in Louisiana who are laboring for the perpetuation of this horror among us. They answer our indignant protests with the scurvy plea, among others, that the lottery compels no one to purchase tickets and that it has never done them any damage. What alluring vice is there which cast ropes about the necks of its victims and drags them into its dens? Many of these men who indulge in bad logic of this kind have the hardihood to pray to Almighty God daily to lead them not into temptation. This prayer is intended for themselves, their wives and children. And yet, when it comes their own turn to close the hell-holes in the shape of lottery shops which are at almost every corner leading the wives and children of others astray, they have deaf ears. Worse, far worse, they actually contemplate voting to maintain these soul-traps. A case is reported of a father who was among the number of those who argued in this way, defending the lottery. A sudden and shocking revelation awaited him: he discovered that his own son had been stealing from him to play lottery. Then when the iron was within his own soul he appreciated the brutal criminality of this plea and became a determined enemy to the lottery amendment.

The opponents of the lottery are hopeful of success. They refuse to believe that the majority of the people of Louisiana will be willing, now that the issue is better understood, to sell the honor and fair name of their State; to surrender their individual liberties into the hands of a horde of gamblers; to debauch for money the morals of men, women, and children; to have within their borders an enduring carnival of crime. Should, however, the result be different, we put our trust in the people of the other States, asking them to wage war for us upon this deadly and potent evil until it is at last exterminated. The honor of Louisiana is to an extent the honor of the entire Union: the welfare and purity of one State is a matter of vital interest to all

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the States. A vigorous enforcement of existing postal laws bearing against all lotteries, supplemented by other legislation closing to them the express service, will go far toward protecting the other States against a corporation which is a confessed pirate, a wilful violator of every law. But it may serve at the same time to turn the greed and ingenuity of the company more strongly against the fortunes and the morals of our own people. The only sure remedy, in case of the final loss of the anti-lottery cause in Louisiana, is the passage according to rule of an amendment to the Constitution of the United States, prohibiting the States from establishing lotteries, and making it penal under Federal law to conduct a gambling game of this character. It is true that it is not a wise policy to amend the constitution upon slight occasion. But, when we find an evil grown too strong for State control, and capable of reducing a sovereign Commonwealth into ignoble bondage, and actually accomplishing that end, the necessity is overwhelming for the forceful arm of the General Government to intervene. There is, as well, a community of peril among the States; for, what is sought to be done in Louisiana was attempted very recently in North Dakota. No State can be certain that this same corporation, or some other combination of gamblers emulating their example, will not attempt to fasten itself in the same fashion upon it. What has been done may be done again; and flesh and blood are much the same in one quarter of the Union as in another. As a last resort, the people of Louisiana battling against this evil will look forward to this relief against the dire consequences of defeat.

FRANK MCGLOIN.

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THE LOUISIANA LOTTERY: A HISTORY OF THE COMPANY.

THE Louisiana State Lottery Company was chartered by an act of the Louisiana legislature on August 11, 1868, the act becoming a law without the approval of the governor who permitted the ten days to pass without vetoing it.

The persons named as incorporators were Robert Bloomer, Jesse R. Irwin, John Considine, Charles H. Murray, F. F. Wilder, C. T. Howard, and Philip N. Luckett. John A. Morris subsequently acquired the interest of some of the others—how it is not definitely known; but there is now pending in the city of New York a suit against him by one Z. E. Simmons in which the story is told. The case of Ben. Wood and others against Morris and others which was filed in New York also will throw some light on it. This last-named suit was dismissed on the exception or demurrer of Morris that lottery gambling was contrary to good morals and public policy and could not be adjudicated upon by a court of justice.

By the terms of the act the lottery was to "be and continue for and during the term of twenty-five years from the first day of January, 1869." This would make the charter expire on December 31, 1893. The lottery company existed under this charter until the session of the legislature in 1878, when the act was repealed and the charter destroyed.

The lottery company disregarded this repealing act, claiming that its charter was a contract with the State which could not be repealed, and immediately went to work for a constitutional convention, which it succeeded in having called.

That convention met in 1879 and proceeded to put the lottery in the constitution of the State and to recognize its charter as a contract binding upon the State for the period therein specified. In this it succeeded by its usual majority of one, and by the aid of the solid negro vote in the convention. The lottery company was required to file a paper with the secretary of state surrendering its monopoly feature, as well as to pay money to the State each year for the benefit of

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the Charity Hospital of New Orleans, an institution which had been in operation for thirty-five years before the lottery was thought of. This the lottery company did. But it has never permitted the chartering of any opposition lottery company, although numerous attempts have been made to do so, as permitted by the constitution until the year 1895, at which time the constitution declares that all charters granted by the legislature shall cease.

This was the condition of affairs when John A. Morris, who had become the lottery magnate, announced by means of a letter published in the newspapers in April or March, 1890, that he would apply to the legislature for an amendment to the constitution granting to him a lottery charter for the term of twenty-five years, offering to pay therefor the sum of $500,000 per year.

Perhaps I should say here that the lottery has two sorts of drawings, the monthly drawing and the daily drawing. The monthly drawing takes place twelve times a year on the second Tuesday in each month; ten of the drawings are "ordinary" drawings the tickets of each of which amount to $2,000,000 and the prizes to $1,054,800, the difference going into the lottery's pocket. Two of the monthly drawings are "grand extraordinary" drawings, in each of which the price of the tickets amounts to twice as much as in each of the ordinary drawings, the prizes also amount to twice as much, and the lottery's profit to twice as much.

In addition to the monthly drawing for which the tickets are sold all over the country, the lottery has a daily drawing in the city of New Orleans. All over the city are policy shops "run" by the lottery company where a person may go in and play as low as twenty-five cents, or as high as five hundred dollars, getting a printed ticket with certain numbers on it, or if he desires it a ticket with any numbers he wish written upon it. At four o'clock every afternoon numbers from one to seventy-five (or sixty-nine) are put in the wheel and from twelve to fifteen (according to the number in the wheel) are drawn out. The chance of winning in this drawing is about one in 76,000. There are in the city of New Orleans, according to a count made by the police in October, 1891, one hundred and eight of these policy shops; and their receipts average sixty dollars per day each. They are open and sell tickets three hundred and thirteen days in the year. From these data can be calculated the immense sum drawn by them from the people of New Orleans every year. The lottery company claims that of the receipts from the sale of tickets in the monthly drawing,

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only seven per cent comes from Louisiana and that the remaining ninety-three per cent is drawn from the other States in the Union.

One of the favorite ways of the lottery to reward a small politician who has served it is to give him one of these city policy shops which is run for him by a clerk in whose name it is kept, he paying the clerk a salary and taking the commissions for the sale of the tickets.

But to return to the history of the re-charter, or attempt to re-charter the lottery. When Morris made his announcement that he intended to apply for a re-charter and would offer $500,000 per year for it, all the daily papers in the city of New Orleans and a large portion of the country press immediately advocated the adoption of the proposition. The lottery company had purchased as many of the papers as were for sale. Just at this time, or a little before, seven gentlemen, Messrs. Charles Parlange, C. Harrison Parker, Jno. C. Wickliffe, W. G. Vincent, Frank McGloin, Geo. W. Young, and the Rev. B. Carridine, a Methodist minister, met in the office of Mr. Parlange and formed the Anti-Lottery League of Louisiana, for the purpose of fighting the lottery. At first it was difficult to get people to join it, so great was the terror of the power of the lottery; but it grew until at last it opened the fight.

Its first move was to establish a newspaper, for without one the fight could not be carried on. Raising the money they purchased a plant, having organized a stock company, and started "The New Delta," with Messrs. Parker and Wickliffe as editors. The lottery and the lottery's subsidized press immediately opened a war on the new paper. But it fought back and eventually whipped out the opposition in its attempt to drive it to the wall; and now, from a little evening, four-page paper, it has become an eight-page morning paper with as large a business as any paper in the city.

The first issue of "The New Delta" appeared on May 12, 1890, the day the legislature assembled. When that body met, nearly two-thirds of each house were opposed to the proposition of Morris. The next day after the legislature met Morris raised his offer from $500,000 to $1,000,000 a year for the lottery privilege, and then went to work on the legislature. He established regular headquarters in Baton Rouge, the capital, and would send for members whom he desired to get over, using such arguments as were best suited for the accomplishment of his ends. An anti-lottery caucus of the two houses was formed and a majority of the members of the two houses signed a paper pledging themselves never under any circumstances to vote

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for the lottery proposition, and agreed that, if they did so, that fact was to be conclusive evidence that they had been bribed to do it. Many men who signed that pledge finally voted for the bill. The fight against the passage of the bill through the legislature was led by the Hon. Murphy J. Foster, senator from the parish of St. Mary.

Finally the lottery company got the requisite number (two-thirds) pledged to its measure in the house, and the bill was introduced by S. O. Shattuck, the representative from Calcasieu. Three times the bill was put upon its passage before it could be accomplished. First one member was taken sick and could not attend; then another was stricken with paralysis as he rose in his seat to vote for the measure; and finally it was passed amid the most violent storm which had ever passed over Baton Rouge, and just as Shattuck, the member who introduced it, gave his vote the state-house was struck by lightning, extinguishing all the electric lights in the building.

It was then sent to the senate. There the same delays accompanied it; senator after senator was bought over to the support of the measure until at last the requisite two-thirds were had in the senate. It was then passed and was sent to the governor, Francis T. Nicholls, for approval. At the opening of the session in his message Governor Nicholls had strongly denounced the measure and advised against its passage. As soon as it reached him he vetoed it in a ringing message. In it he said: "I will never permit one of my hands to assist in destroying what the other was sacrificed in endeavoring to uphold—the honor of my native State. Should I affix my signature to this bill I should indeed be ashamed to let my left hand know what my right hand had done." The allusion will be appreciated when it is known that Governor Nicholls lost his left arm at the battle of Chancellorsville while commanding a Confederate brigade.

The house of representatives immediately passed the bill again over the veto and sent it to the senate. Here another check was met. J. Fisher Smith, one of the lottery senators, was dangerously ill. He could not be brought into the senate chamber. It was proposed to take the senate and go to his room and there hold a session and pass the bill over the governor's veto. This was defeated by his physician who said that the excitement would kill him. In the midst of the confusion Senator Smith died. The senate then adopted a resolution that the governor had no right to veto the bill and sent the bill back to the house of representatives. The house immediately rescinded its vote passing it over the veto, and adopted the resolution of the senate,

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and sent the bill to the secretary of state for promulgation. This was three days before the session of the legislature expired by limitation. The legislature adjourned on July 11. Immediately after the adjournment it was discovered that all the constitutional requirements had not been complied with—such as entering the proposed amendment in full on the journal of the house and senate with the names of the members voting for it; nor did the journals show that it had been read in full on three different days in each house; all of which were required by the constitution of the State.

Immediately the secretary of the senate and the clerk of the house were telegraphed for to come to New Orleans. They came, and after a consultation they went to Baton Rouge, the capital, with Lloyd Posey, one of the lottery senators, and changed and altered the journals of the two houses so as to make them show that these formalities had been observed. The journals had already been printed, but not bound. They destroyed four forms of twelve pages each, forty-eight forms or pages in all, and had forty-eight new ones set up containing the changes. These facts were sworn to by the printers who did the work and by the foreman of the State printing office and were admitted on the witness stand by the secretary and the clerk themselves, in the suit which I shall describe further on.

Matters were standing thus when the anti-lottery league called a State convention to be held in Baton Rouge August 7, 1890, to be composed of delegates from all the parishes in the State. That convention met, and out of the fifty-nine parishes in the State only one was unrepresented. The State farmers' alliance was in session at that place at the time, and that body united as a whole with the anti-lottery convention on the lottery question. That convention was in session two days and adjourned after issuing an address to the union and appointing a committee to conduct the campaign against the lottery. That committee immediately organized by electing Charles Parlange chairman, Murphy J. Foster vice-chairman, Jno. C. Wickliffe secretary, and E. B. Kruttschnitt treasurer, and went to work to organize the people of the State against the lottery.

The secretary of state refused to promulgate the act passed by the legislature and to advertise it for election by the people on the ground that it had not passed as the law requires. John A. Morris immediately, that is in the fall, after the secretary had formally refused to promulgate it, brought suit against him to compel him to do so. The case was tried before a judge who was a lottery man, yet the proof

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was so overwhelming that he decided the case against the lottery. Morris then appealed to the supreme court of the State. After hearing the case, wherein all the proof I have set forth above was made, the court decided that the governor had no power to veto a constitutional amendment, and that the officers of the two houses had a right to change the record, after the adjournment. The change was proved to have been made July 16, five days after the adjournment. The decision of the court was three to two; one of the three judges who decided in favor of the lottery was Judge Samuel D. McEnery who is now the lottery's candidate for governor at the ensuing election.

The Anti-Lottery State Committee inaugurated a vigorous campaign by means of "The New Delta" and by meetings and speeches all over the State. The lottery company began its campaign through the newspapers it had bought, and later sent out a corps of hired orators through the State speaking in favor of it. It also organized the "Progressive League," an organization whose avowed purpose was to secure the adoption of the amendment by the people at the election next April, paying the salaries of the officers and the expenses of the organization, which were and are great. This league flooded the State with literature in favor of the lottery and had unlimited funds. The Anti-Lottery League and the committee were restricted to such funds as were contributed by private subscription. The ladies organized the "Women's Anti-Lottery League" and have done good work.

The anti-lottery men have made a combination with the farmers' union inside of the Democratic party and have agreed to support for governor, treasurer, and superintendent of public schools men named by the farmer delegates to the Democratic convention.

The lottery men have made a combination with the "city-ward-boss" element in New Orleans and the professional politicians in the country; and so the situation stands to-day.

There are various other matters connected with this lottery fight which are interesting, but there are so many of them that it is hard to tell where to begin to relate them; nor can they be given in chronological order. For instance, several years ago one of the lottery crowd filed in the federal court in New Orleans a suit against Morris, Howard, and the rest of the lottery crowd, praying for an accounting. The plaintiff was one DaPonta, who is still here and is a prominent lottery man. In that petition he alleges that large sums were used by Morris and his partners in bribing legislators and other State officers; and the allegations were supported by the affidavits of the

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plaintiff and of one of the agents who did the bribery. That suit was never tried but was settled amicably out of court, and Morris's plea has been stolen from the record.

Just after the adjournment of the legislature which passed the lottery bill in July 1890, one of the senators, who had been an anti-lottery man and who was the last man converted to the lottery side, died at the Hotel Dieu in this city. He was a man who never had a dollar in his life. He was one of those men whom you have sometimes met that were born about one thousand dollars behindhand and who never caught up. He was deeply in debt and had been so ever since he was a man. From his dead body was taken a money-belt which contained $18,000 in one-thousand-dollar bills, all new. Another also, a member of the house, who was the same sort of a man, died very soon after the adjournment and a large sum of money was found in his possession also.

Another member of the house, Joseph St. Amant, of Ascension, was arrested during the session under an information for receiving a bribe filed by the district-attorney. The evidence was as conclusive as circumstantial evidence could well be. The lottery officers were summoned to attend the trial and to produce the books and vouchers of the lottery company. They disobeyed the subpœna and went to the State of Mississippi beyond the jurisdiction of the court. The judge called the case up after ten o'clock at night on the last day of the term of court and ordered the district-attorney to proceed with the trial, despite the district-attorney's showing that the witnesses for the State had refused to obey the summons to attend and testify and that the books of the lottery company were not in court. The judge peremptorily ordered him to go on with the case. This the district-attorney refused to do, and, in order to prevent the defendant from having a good plea of former jeopardy, entered a *nolle prosequi*, thus reserving to the State the right to indict him again.

Every time the lottery has come before any representative assembly it has commanded the support of every purchasable man in that body. In every legislature and in the constitutional convention it has received the solid support of the negro members. It has dozens of men who have been and are in public life upon its pay-roll, giving them stipulated sums *per annum*, for services heretofore rendered. Those it can buy it buys; and those it cannot buy it seeks to destroy. It has no politics and knows no party. It numbers among its servants Democrats and Republicans. It has traded with all parties and has

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supported all parties. It has among its principal stockholders P. B. S. Pinchback, the negro ex-lieutenant-governor of this State, and P. F. Herwig, the chairman of the Republican State central committee; while one of the men who is leading its present fight is the chairman of the Democratic State executive committee, and it has captured the machinery of the Democratic party in this State. At the last election its money was used to overthrow the bosses in the city of New Orleans; this year it has made a combination with those bosses. At the last election it offered money to the Nicholls campaign-committee, coupled with a pledge not to apply for a re-charter, in order to defeat McEnery who was then a candidate; this year it has taken up McEnery as its candidate and is abusing Nicholls. Like St. Paul, it is all things to all men, but there the resemblance stops. Its course has been marked by bribery from the day of its birth until this minute, and its track is strewn with the wrecks of the characters of the men who have served it.

Its most dangerous quality is its indirection. For example, in 1890, the year it applied for the act submitting the question of a re-charter to the people, there was an overflow in a part of the alluvial region of Louisiana. The lottery expended a vast sum of money, something like $150,000, in closing breaks in the levee and in repairing weak places; it also sent relief to overflowed sections. This was to induce the people to write to their representatives to vote in favor of the re-charter. In 1891 there were other breaks in the levees, and other people were overflowed. Some of these people made application to the lottery for aid. It was refused. There was no election to be held this year. If there is an overflow next year (and the levees will have to be watched to prevent their being cut) the lottery will be there with all the aid the people want. Its "reptile" fund is well-nigh inexhaustible. In the recent city election there were spent more than $100,000 by the McEnery side. Every cent of it came out of the lottery treasury.

This is the power which the anti-lottery men of Louisiana are fighting.

JNO. C. WICKLIFFE.

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THE POPE AND THE FUTURE OF THE PAPACY.

THE late conflict arising from the French pilgrims' insult to the memory of Victor Emmanuel, followed by the indignant protest * of the Italian population, has drawn attention afresh to the state of the Papal question. It was certainly a very hazardous enterprise of Leo XIII. to invite masses of French pilgrims to Rome at the time when the anniversary of the annexation of the present Capital was celebrated by the people. The Pope's principal allocutions were indeed moderate, but the physical and mental overstrain of the aged Pontiff caused by the constant exertions of receptions and ceremonies provoked an irritability to which he gave vent in his address to the union of the Catholic youth; and it sounded rather as a cry for combat when he said that those who maintained that the Pope was free falsified the idea of liberty. It is true that he asked his hearers not to overstep the limits of legality, but if once the passions of young men are inflamed such admonitions are easily set aside; and it is not astonishing that the ardent French youths tried to give practical expression of their feelings. The incident is not yet closed; for, if the Italian Government with laudable promptness has punished those authorities who did not protect the pilgrims on their journey homeward against the insults of the populace, and if the French Ambassador at Rome has expressed to the Italian Minister of Foreign Affairs the regret of his Government on account of the excesses committed by his compatriots, if furthermore the French Minister of Finance has uttered words of sympathy towards Italy at the inauguration of the Garibaldi monument at Nice, and his colleague for Foreign Affairs, M. Ribot, has spoken in the same strain in the Chamber, denying any

* We may quote here the text of the Royal answer to the telegram forwarded to the King by the *Sindaco* (Mayor) of Rome in the name of the Roman population, which was at first withheld from publicity by the Government: "*Commosso come figlio, fiero come Italiano, mi unisco con tutto il cuore alla grande e nobile protesta del popolo Romano, il mio popolo! Consigliate ora i Romani a rientrare nella calma; la calma è dei forti!—Umberto.* [Moved as a son, proud as an Italian, I join with all my heart in the great and noble protest of the Roman people, my own people! Counsel the Romans now to be calm; calmness is a virtue of the strong!—*Humbert.*]

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intention on the part of France of restoring the temporal power of the Pope,—the conflict has nevertheless embittered the international relations of Italy and France.

Moreover it appears destined to have domestic consequences in France, for most of the bishops have answered the invitation of the Minister of Justice to stop those pilgrimages, by a flat refusal couched in very uncourteous terms, so that some of them will be brought before the courts on account of disrespect to the Government; and this may lead to an alienation of the Conservative party from the present Ministry. We do not, however, pretend to launch into speculations about these consequences, but we revert to the questions of the reciprocal position of the Papacy and Italy, in which lies the origin of the recent conflict—the more so since Leo XIII. is a very aged man who showed signs of great weakness during the late ceremonies and may be carried off any day.

The Pope invariably maintains that he is not free, and cannot become so again unless his temporal dominion is restored. The question is whether this be true and if so, whether there be any prospect of his demand being fulfilled.

I.

The origin and the growth of the former Papal dominion are as worldly as of any other State. Until the middle of the eighth century the Popes were subjects of the Roman Emperor. They acquired large estates by donations and inheritance over which with the decline of the Empire they gradually exercised rights of government. But even when Pepin and Charlemagne endowed the Roman See with possessions torn from the Langobards, these were not considered as its property but as a great episcopal fief, such as existed in the Germanic countries of that time. With Gregory VII. the great struggle between the Papacy and the Empire began and it was Innocent III. who first established an independent government in the estate of the Church. The most energetic representatives of that tendency were Alexander VI. and Julius II. who enlarged their dominion by force and cunning. Sixtus V. and Pius V. reorganized the administration of the Ecclesiastical State and thus definitely founded the Papal Monarchy.

But during this historical development appears already the double character of this Papal State in consequence of the Papacy's being at once a worldly power and the highest spiritual power. On the one

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side it was a source of great revenue for the general government of the Church; on the other side the Popes were Italian princes and as such were drawn into all the conflicts of political strife. The other Governments after the victory of the Papacy over the Empire did not contest in principle the sovereignty of the Pope, but this did not prevent them from making war upon him and occupying Rome or other Papal provinces, just as the Popes on their side made leagues with foreign Governments, such as the famous Treaty of Cambray against Venice in 1508. It is evident that by this twofold character of the Papal dominion the highest spiritual office of Christianity was degraded and placed in the service of ever-changing worldly interests; and this evil was increased by the nature of a priestly government, which lacked the intrinsic force to maintain the independence at which it aimed. There was a constant disproportion between the universal spiritual authority of the Pope and his very limited territorial possessions, which even the most astute diplomacy of the Curia and the support of political purposes by spiritual means could not efface. Other powers constantly availed themselves of the worldly position of the Pope as a means to force him to take steps, on which he would never have ventured as the Head of the Church. At Avignon the Popes were the obedient servants of the French kings and under the pressure of Philip IV. Clement V. committed the great judicial murder of the destruction of the Templars. Clement VII. supported the Protestant League of Schmalkalden against Charles V. the defender of the Catholic faith, but after the sack of Rome by that monarch he was obliged to crown him at Bologna. Urban VIII. favored Gustavus Adolphus, the chief of the Protestants; Innocent XI. favored William III. of England against Louis XIV., and Clement XIII. was forced in 1774 by the Bourbon Courts to suppress the Jesuits. This disproportion was increased by the internal weakness of the Papal administration, forming a strange contradiction to the firm rules of the ecclesiastical government. It was absolute, yet without any traditions and constantly changing, and the result was a misgovernment and fleecing of the people with scarcely a parallel in the civilized world.*

This nuisance still increased when, after the interval of the Napoleonic era, the temporal power was re-established. It accepted the

* Compare the despatches of the French ambassadors since 1667 communicated in "Le gouvernement temporel des Papes, jugé par la diplomatie française."

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French suppression of the mediæval privileges of the formerly somewhat independent cities, but abolished all the administrative ameliorations introduced by Napoleon and delivered the country over to the good pleasure of the prelacy. The delegates of the Pope were quite as arbitrary as the French prefects but much less able. It was in fact a theocracy modified by anarchy. The consequence was constant insurrections put down by Austrian arms. The reforms recommended by the Great Powers in 1832 came to nothing; and, when at last Pius IX. tried to inaugurate a new era by reforms, the attempt broke down in its beginning. This was but natural, for the chief of a Church who legislates in the highest spiritual affairs for 200,000,000 souls cannot submit to the demand that his State shall no longer be governed in the interest of the hierarchy. The conflict with the representative assembly convoked in 1848 was, therefore, unavoidable. Pius IX. fled to Gaeta, and was re-established by Napoleon III. in Rome whilst the Austrians again occupied the Legations, and the old misgovernment remained till the Italian question was roused by Napoleon III. and Cavour in 1859.*

Undoubtedly the French Emperor had no intention of creating a united Italian State, still less of touching the temporal dominion of the Pope, but he was outwitted by the masterly and unscrupulous state-craft of Cavour supported by the disciplined will of the Italian people. All his endeavors to find a *mezzo-termine* were rendered fruitless by the hardy action of the Italian statesman as well as by the stubborn refusal of the Curia to make any concessions, and the end was that the Pope found himself deprived of his worldly dominion except what was called the "*Patrimonium Petri*," about a third of his former possessions garrisoned by the French. Cavour indeed did not renounce the annexation of this remaining third, but in his celebrated speeches of March 25 and 27, 1861, in which he proclaimed Rome as the capital of Italy, he admitted that this annexation could not be carried out against the will of France and that it ought to be achieved without extending the political authority on the ecclesiastical domain. This latter condition he hoped to obtain by negotiation with the Curia and to conclude a religious peace on the Capitol, which might be of far greater consequences than that of Westphalia.† This proved an

* They are related in all detail in the interesting book by Thouvenel: "Le secret de l'Empereur, Correspondance confidentielle et inédite entre M. Thouvenel, le Duc de Gramont et le général Comte de Flahaut." 1860–63. Paris, 2 vols., 1889.

† Artom et Blanc: "Œuvre parlementaire du Comte de Cavour." P. 24. Paris, 1862.

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illusion. We are now in possession of all the documents of this negotiation * and know that a considerable part of the Cardinals were of opinion that the large concessions which Cavour offered to the Papacy might be accepted; moreover that Pius IX. himself was wavering, but by the resistance of Antonelli the whole affair fell to the ground. Cavour died, and the attempts of Garibaldi to settle the question by the sword had as little success as the Convention between Italy and France of September, 1864, trying to establish a *modus vivendi*, and it was only after the great defeat of the French in 1870 that Italy found the courage to occupy Rome, and the rest of the former possessions of the Church.

That this forcible annexation, although ratified by a vote of the population, did not square with the international obligations which Italy had entered into, cannot be contested; for by the September Convention of 1864 the Government had promised not to attack the Papal territory nor to suffer any aggression upon it and, when (August 2, 1870) the French Ambassador announced the withdrawal of the French garrison from Rome, the Minister of Foreign Affairs replied (August 4) by a despatch, stating that the Government would continue to observe strictly the obligations entered upon in 1864. If nevertheless the same Ministry several weeks afterwards forcibly entered Rome, it can only be said that it acted under the irresistible pressure of the people, who were resolved to profit by the favorable circumstances in order to put an end to the struggle carried on from Rome by the Curia and the dispossessed Italian princes against the new Kingdom, and that the misgovernment of this priest-State, which was most detested by the Romans themselves and could be kept up only by foreign troops, was an anachronism destined to disappear sooner or later. It is true that the annexation of Rome in no wise involved the necessity of making it the capital of Italy. Cavour had given this cry only on the condition of coming to an understanding with the Pope; and, when this attempt failed, excellent and intelligent patriots such as Azeglio, Gino Capponi, Menabrea, Jacini, and Alfieri, were strongly opposed to establishing the centre of the government at Rome, because it vastly increased the difficulties of the situation; for it placed on the same spot, front to front, two hostile powers, one of which had daily to feel what it had lost by its forcible dispossession; and so the antagonism was pushed to a culminating

* Diomede Pantaleoni: "L'Idea Italiana nella soppressione del potere temporale dei Papi, con documenti inediti." Torino—Roma, 1884.

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point. Nevertheless the popular pressure was so powerful in favor of the "*Roma Capitale*," which had entered as an axiom into the national creed, that the Government did not feel strong enough to resist. Given this fact and seeing that the Curia refused any negotiations—even a tacit renunciation which Cavour had hoped to obtain—but protested against the occupation of Rome as "a work of destruction of Catholicism and the negation of the supreme authority of the Pope and the liberty of the Church, which rendered impossible all conciliation" (Circular Despatch of Cardinal Antonelli of November, 1870), nothing was left to the Government but to prove on its side that the loss of the temporal power would in no wise infringe upon the free exercise of the spiritual authority of the Pope. In this sense the Minister of Foreign Affairs, Visconti Venosta, in order to soothe the susceptibilities of the Catholics abroad, shortly after the occupation of Rome gave in a circular despatch of October 18 the most positive assurances that the spiritual independence of the Holy Father should receive every desirable guarantee; and in order to realize this promise the law of guarantees of May 13, 1871, was passed.

It cannot be denied that this act shows certain deficiencies; for instance, Cavour in his negotiations had offered to the Pope landed estates (*tale massa di beni stabili*) the revenue of which would be sufficient for the expenses of the Curia and the maintenance of its dignity. This might have been tacitly accepted by the Pope without his explicit consent and would not have formed a danger to the State. But the law of 1871 simply constituted a permanent donation of 3,225,000 francs in the Italian budget for the Holy See, which the Pope could not accept without becoming the pensioner of the State, a position incompatible with his dignity. Further, it cannot be denied that the law of guarantees was not always faithfully executed by the Government, as was shown by the insults of the populace at the funeral of Pius IX., and by several judgments of the Italian courts, for instance, in the case of Theodoli-Martinucci, and in the question of the estates of the Propaganda, in which the Government upon a very doubtful title compelled that establishment to exchange the landed property of that corporation for Italian *rentes*.

But for the rest, the law has worked well and it may be said that the exercise of the spiritual authority of the Pope was never more free than under its reign. It cannot indeed be maintained that he is a sovereign, for the essential conditions of sovereignty are a territory and subjects. The miniature Republic of San Marino has both, but

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the Vatican and Lateran left to the free use of the Pope cannot be considered as a territory, nor can the Pope's small band of soldiers and servants be treated as subjects. He has indeed the right of legation and can send ministers to those Governments which choose to receive them; but he is not able to grant the necessary diplomatic privileges to the ambassadors accredited to him except by the connivance of the Italian Government, which has promised to do so in the law of guarantees.

The truth is, that if the Pope is no longer a sovereign he is treated as a sovereign in important respects. His person is inviolable. Any offence or attempt against it is to be punished as those committed against the King, nor can any functionary of the State enter his residence without his permission. The consequence is that the Pope has become more independent and more irresponsible than ever before. He has not to fear any attack on his person either by revolution or by a foreign Power. If a sovereign State offends another Government by action or word, the latter is entitled to demand satisfaction, and, if it is refused, to declare war. The Pope is free of such reprisals. A State offended by him, can only break off its diplomatic relations with the Curia. It cannot make him personally responsible. Having guaranteed his inviolability, Italy cannot allow a foreign Government to proceed against the Pope on Italian soil nor do so herself.

We have had an instance of this in the ecclesiastical conflict between Prussia and the Curia (*Kulturkampf*). Prince Bismarck was highly incensed against Pius IX. on account of the offensive speeches of the Supreme Pontiff against the modern Attila; and, if the former temporal power had still existed, the German Chancellor would probably have sent a man-of-war to occupy Ancona or Civita-Vecchia. But, when he applied to the Italian Government to stop that abuse of speech, it was compelled to answer that it could do nothing, the law of guarantees having sanctioned the inviolability of the Pope and of his residence. Pius IX., therefore, continued his invectives and the end was that Bismarck's successor felt obliged to make an ignominious peace with the Curia, by which he surrended the Falk laws, formerly praised as a bulwark of the State. The Pope therefore can declare laws of a Government null and void, for this is merely an exercise of his spiritual power, as he did with respect to the Prussian May-laws and the Austrian school-laws; and the respective Governments can only punish their bishops and priests who proclaim his decisions and thus provoke disobedience to the laws of their country.

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Nay more, the position of the Pope in Italy is in certain regards more favorable than that of the King. A creditor of the latter may bring forward an action against the civil list, which may be condemned to pay; for, although the King cannot personally be sued, no article of the Constitution exempts the royal residence from the acts of judicial authority. But as to the Pope, according to article VII. of the law of guarantees, no civil judgment can be executed against him, his functionaries residing in his palaces, or his fortune; for no officer of the State is allowed to enter his residence against his will. And this immunity extends over the whole of the Kingdom. Wherever the Pope goes he not only has the privilege of personal inviolability, but his residence remains inaccessible to the interference of any official of the State. This inviolability applies also to the Conclave during the vacancy of the Holy See, and to an ecumenical council, the Government having promised to protect both against every disturbance and having promised especially that, during the vacancy, the personal liberty of the Cardinals shall be in no wise restrained. In fact, the Conclave by which Leo XIII. was elected passed off as regularly and as quietly possible.

We may thus say that, notwithstanding the above-mentioned short-comings of the law of guarantees, it has in the main secured the spiritual independence of the Pope, and that, if perhaps the Government should have prevented some slanderous attacks of the Radical press against the Supreme Pontiff, it has shown great forbearance towards the constant abuse of the Clerical journals, which do not enjoy the same immunity as the Pope and his officials.

We conclude, therefore, that the complaints of Leo XIII. of being deprived of the liberty necessary for his office are unfounded; the more so as, with the exception of the civil list stipulated by the law of 1871, he avails himself of all the privileges which that act confers upon the Papacy. His complaints are derived solely from the grievance that Rome no longer belongs to him, although he should take to heart the word of Him whose successor he claims to be,—"My Kingdom is not of this world." He never wearies of his lamentations that the See of the Apostles is infested by unbelief, Protestant churches, schools and book-shops; and, if the French pilgrims give unlawful expression to their feelings, it must be said that they have essentially only repeated what the Pope and the Clerical journals themselves say every day.

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II.

The second question is, Is there a remedy for this anomalous situation? I have admitted that the establishment of Rome as the Capital of Italy was a matter of doubtful policy, but it is a fact which has lasted for twenty years and cannot now be annulled. Modern Rome is not the city of 1870. Many independent interests have sprung up which prevent the re-establishment of the temporal power. Above all, Rome has become the definite centre of the Italian Government. Notwithstanding the inconveniences which the co-dwelling of Kingdom and Papacy provokes, no Italian King could abandon Rome as his Capital. Such an act would not only jeopard Italian unity, but it would not even lead to the recession of Rome to the Papacy. It would deliver up the Capital to revolution. Besides, the greatest difficulty would not be the re-establishment of the temporal power but the maintaining of it, which could be done only by foreign arms. One must have been at Rome to understand the intense hatred of the Roman population, good Catholics as they are in religion, against the former state of things; and no government could undertake now to garrison Rome and to keep down the national aspirations for the sake of satisfying the Pope's demands.

On the other hand it is very unlikely, notwithstanding his complaints, that the Pope will leave Rome. He might do so if he were personally outraged, but the Italian Government will take good care to prevent such an event, which would prove a source of embarrassment to itself. Apart from such a case, the threats of Leo XIII. should not be taken literally. If he declares that his situation is insupportable, he means that it is unsafe and exposed to many vicissitudes. But hitherto he has not followed the advice of the *Zelanti* and French intriguers who try to persuade him that his departure would provoke a general crisis and confusion. We now know by Crispi's revelations in "The Contemporary Review," that when French instigations pressed the Pope hard to leave Rome, the Italian Government confidentially informed him that he was quite free to leave but not to return; but that, on the contrary, immediately after his departure, his palaces would be occupied. And in what other country would he find the privileges of the law of guarantees? Nowhere; not even in Malta, where he would be respectfully received but would be considered as an unwelcome and embarrassing guest.

Certainly, too, the departure of the Pope would be a considerable

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material loss to the city of Rome. The expenses of the Curia amount to about 10,000,000 francs annually, and the income derived from the contributions of all Catholic countries is far larger; but it cannot be believed that according to the maxim *ubi papa, ibi ecclesia*, the Pope would be able to carry off the Eternal City in the folds of his robes. A new capital of the Catholic Church is not to be improvised; the Papacy is too old a tree to be transplanted; all its historical origins and actual interests are rooted in the Roman soil; and the whole Papal bureaucracy would feel exiled in any foreign country. It is therefore most unlikely, unless an extreme case should arise, either that the Pope will voluntarily leave Rome or that Italy will compel him to do so. The late incident with the French pilgrims has provoked an agitation of the Radical party for abolishing the law of guarantees as contradictory to the national dignity, alleging besides that it has never been accepted by the Clericals. But we do not believe that the attempt will be successful, for the difficulty is otherwise to regulate the position of the Pope; and there exists no project which would be accepted by all parties, as securing the Papal spiritual independence which has been guaranteed to the Catholic world by Italy, and not trespassing upon the national dignity. Nor do we think that a change in the person of the Pope would facilitate the solution of the problem.

The historian of the last Conclave, Raffaele de Cesare, has just published in the "*Nuova Antologia*" an essay on the future Pope, reviewing the candidates who, according to his views, have the best chance to ascend the Papal throne. As the first, he names Cardinal Monaco Valletta, the chief of the moderate Intransigents, quite as stubborn as Leo XIII. in the revindication of the temporal power, but peaceful and a friend of Austria. The second is Cardinal Parocchi, a blind tool of France, and Cardinal Lavigerie, capable of strong resolutions but also of great follies. The third is Cardinal Battaglini of Bologna, a mild priest who seldom appears at the Vatican and confines himself peacefully to governing his diocese. The complicated mode of election in the Conclave makes prophecies very difficult. But this much may be said, that the majority will not be inclined to push to a crisis, and that under Leo's successor things will go on very much as they go on now.

There is another illusion to be dispelled, namely, that a decisive change could be wrought by a religious reformation. This was perfectly possible in the sixteenth century, when the movement inaugu-

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rated by Luther had spread over a large part of Italy. Even the sonnets of Michael Angelo breathe a spirit akin to Protestantism. But that movement was stamped out by the brute force of the Inquisition under Paul IV., and there is scarcely left a trace of it.* Religious liberty now reigns in the Kingdom of Italy, and Protestant churches and schools are to be found in Rome, Florence, Naples, Palermo, Genoa, and other cities, but these congregations are small and make little progress. A friend of mine urged a Roman editor to have my work on the relations of Church and State translated into Italian. The man shrugged his shoulders and answered: "Who would read such a book in Italy?" He was right. Apart from an Ultramontane minority, the Italians are indifferent in religious matters; they submit to performing the rites of the Church on account of their wives and because they do not want to quarrel with the priests, but they do not care for such questions. Still less possible is a reform of the Catholic Church, as has been proved by the abortive attempts of Count Campello and others. The centralization of the hierarchy has been pushed to a degree which renders fruitless all exertions for a dogmatic change; for the Catholic Church is above all a constitutional one. You are not a member of it by adhering to certain dogmas, but by submitting to the divinely established hierarchy which shuns all change. It is perfectly possible that Leo XIII. should never have proclaimed the papal infallibility, but he cannot retrace his steps; nay, he strained this dogma to the utmost by interfering in the struggle of Prince Bismarck and the opposition about the military septennate in Germany, alleging that a vote in favor of it would tend to strengthen the chances of peace. He has not been successful in this attempt, the German Catholics refusing to obey him in a purely secular matter, just as the Irish bishops declined to follow his advice in the strife with the British Government, and just as he was obliged to revise his judgment concerning the American Knights of Labor at the instance of Cardinal Gibbons. But the fact that he has interfered in such questions shows how far he extends the range of moral questions in which, according to the decree of Papal infallibility, he is entitled to interfere. The plea that in these affairs he was not speaking *ex cathedra*, *i.e.* as the supreme arbiter of questions of faith and morals, is purely illusory, since he himself decides whether he is speaking *ex*

* *Cf.* Ranke's "Ecclesiastical and Political History of the Popes of Rome during the 16th and 17th Centuries," translated by Sarah Austin. 3 vols., London, 1840.

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cathedra,—a term wholly unknown to the old Church.* An authority which defines its own competence is omnipotent.

The hesitating attempts of ecclesiastical dignitaries to bring about an understanding with Italy, such as Padre Curci and Monsignor Bonomelli, bishop of Cremona (*Roma e la realtà delle Cose*), have been unsuccessful. Both have been compelled to recant their writings, nor would a Catholic party in the Italian Parliament, even if the Curia resolved to abandon its principle, *Né elettori né eletti*, succeed in assuaging the enmity between the Papacy and the Kingdom, for each member is bound to swear allegiance to the King and his successors, which would imply the acknowledgment of the national unity and a renunciation to the re-establishment of the temporal power.

We come to the conclusion that a normal solution of the Papal question is impossible. Notwithstanding all inconveniences the Papacy and Italian Kingship are condemned to live on the same spot and a change in the person of the Supreme Pontiff will alter nothing. All that is possible, so far as can be foreseen, is to maintain the *modus vivendi* established by the law of guarantees and to avoid as much as possible any infringement upon it, so that the latent antagonism of the two hostile powers may not become acute. That seems the task which the future puts to the wisdom of both rivals, and upon its fulfillment will depend the ultimate international position of the Papacy.

F. Heinrich Geffcken.

* This escapes modern Catholic writers such as Toscanelli: "Religione e patria osteggiate dal Papa," Florence, 1890, who argues that in the famous case of Pope Honorius condemned by an ecumenical council and his successors the words "*ex cathedra*" were not used.

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THE SECRET BALLOT IN THIRTY-THREE STATES.

THE record of the progress of ballot reform in this country ought to give new faith and courage to even the most despondent reformer, no matter how often it has happened to him to be "in at the death" with other good causes. It is barely five years since the agitation of the reform began, yet the reform itself is to-day an accomplished fact. Three-fourths of all the States of the Union have adopted the new system in one form or another and will vote under its provisions in the next Presidential election. The remaining States are certain to fall into line within a very short period. The Australian system, which in 1872, fourteen years after its birth, became by adoption the English system, and a few years later the Canadian system, becomes now, with some modifications, the American system. The period of agitation in England was about the same in duration as it was here, beginning in 1868 and ending in the enactment of a law in 1872. Systematic agitation in this country began in the winter of 1887 in the discussions of the Commonwealth Club in New York City, though a bill embodying in crude form some of the principles of the Australian system was under consideration in the Michigan legislature in the winter of 1885. None of the participants in the Commonwealth Club's discussions was so sanguine as to hope for success within five years. They all looked forward to a long and arduous campaign of education, and would have entered upon it joyfully could they have been assured of final success within ten years. The rapidity with which the reform was advanced is, in fact, without parallel in the history of reform movements in this country.

The chief reason for this rapid progress is to be found in the chaotic condition of our election laws at the outset of the agitation. There could not be said to be at that time anything like an American system of voting. In all our election laws there was a lapsus at a critical point which put our elections completely in the control of the political organizations. Those laws provided for the form of the ballots and the methods of printing them in various States, and provided also for counting the results and declaring the same; but they were dumb

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as to the duty of anybody to print and distribute the ballots at the polling places on election day. If the political organizations had made a secret compact in any election not to print or distribute any ballots at the polls, the election would have had to go by default, or to be held with written ballots, which would have amounted to the same thing, and nobody could have been punished for the failure. Then, too, their power over the printing and distributing of the ballots enabled the political organizations to control all nominations largely to suit themselves. They could make it very difficult for any candidates who had not been nominated by the regular parties to get their ballots circulated at the polls; they could have the ballots themselves so misprinted or altered in one way or another as to discriminate against a candidate whom they wished to defeat or to help unfairly another whom they wished to elect; they could, under the guise of raising money for the printing and distribution of the ballots, practically control nominations by selling them to the highest bidder; finally, when the election was held, every boss and bulldozer could stand about the polls as near as he chose, and watch every ballot that was cast, thus seeing that every man who had sold his vote kept his bargain, and that every man who was in fear of his employer's displeasure voted in accordance with that employer's orders.

All these dangers of political machine control of elections, the enumeration of which seems now like an old story to ballot-reform advocates, were for the first time placed before the public in a clear and systematic manner when agitation for ballot-reform began five years ago. The peril of the situation, as then disclosed, was so obvious that intelligent public sentiment throughout the country may be said literally to have been educated at the first glance. What the advocates of the Australian system proposed was in fact not the substitution of a new system for an old one, but the adoption of a system in place of none at all. The country had been blundering along under the primitive election methods which had been adopted in the town meetings of its earliest history. It had been the custom in those assemblies for the candidates, or the political committees, to meet the expense of providing the few ballots needed, and we had continued the custom, more or less oblivious of the fact that our elections had grown from the simple and inexpensive town meeting into contests involving millions of voters and entailing an expenditure of millions of dollars. The advocates of the new system simply said that we could not as a nation continue to blunder along in this way without

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grave peril of many obvious kinds, and that the need of the time was the adoption of the most thoroughgoing ballot system that could be devised—a system which should take the control of the ballots from the political organizations and put it into the hands of the responsible agents of the State, and should give us an absolutely secret ballot, free from espionage and intimidation of all kinds.

The response of the country to the presentation of the case was quick and unmistakable. Massachusetts followed the lead of New York, and, solely because of the opposition of Governor Hill in New York, succeeded in putting the first law upon her statute books. This was in 1888. The movement, already strong, received a powerful impetus from the Presidential election of that year. The open admission on all sides that unprecedentedly large sums of money had been used by the managers of both political parties for the purchase of votes, created a profound feeling of alarm throughout the country, and strengthened the conviction that stringent methods must be devised to guard the suffrage from the most insidious and deadly of all its perils. While the public mind was in this impressionable condition, the Massachusetts law had its first trial, in November, 1889, and worked with such complete success as to convince every impartial observer that it supplied the very system of which the country stood in need. The immediate effect of this demonstration was shown in the enactment of seven new ballot laws in the following winter; and since that time the progress of the reform has been steady and its final success undoubted.

The whole number of laws enacted is 33; of which 1 was enacted in 1888, 9 in 1889, 7 in 1890, 18 in 1891. In this enumeration Michigan and Minnesota are counted twice because each has passed two laws.

The number of "good" laws is 26, of "poor" laws 3, of "bad" laws 2, of "fair" laws 1.

The number of laws with the blanket ballot is 30, with the alphabetical order 19, with party group and name 5, with party group, name, and emblem 6; the number with separate party ballots is 3.

In the following table I have arranged the thirty-three laws thus far enacted or authorized so as to present in compact form all the States that now have a secret ballot-law of any kind, the date of the enactment of each law, the character of each law (whether "good," "poor," "bad," or "fair"), the style of the ballot provided under each law, and the method of voting the ballot in each State.

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State.	Date of enactment.	General character.	Style of ballot.	Method of voting.
Arkansas	1891	Good	Blanket, with alphabetical order.	Erasing names not voted for.
California	1891	Poor	Two blanket ballots, one general, one municipal, with alphabetical order. All party names grouped at top.	Marking each name or simply party name at top.
Colorado	1891	Good	Blanket, with party group, name, and emblem.	Marking each name or a group.
Connecticut	1889	Poor	Unofficial, separate party ballots.	By ballot in official envelopes.
Delaware	1891	Good	Blanket, with party group, name, and emblem.	Marking each name or a group.
Illinois	1891	Good	Blanket, with party group and name.	Marking each name or a group.
Indiana	1889	Good	Blanket, with party group, name, and emblem.	Marking each name or a group.
Kentucky	1891	Good	Probably blanket, with alphabetical order.	Marking each name.
Maine	1891	Good	Blanket, with party group and name.	Marking each name or a group.
Maryland	1890	Fair	Blanket, with party group, name, and emblem.	Marking each name or a group.
Massachusetts	1888	Good	Blanket, with alphabetical order.	Marking each name.
Michigan	1889-91	Good	Blanket, with party group, name, and emblem.	Marking each name or a group.
Minnesota	1889-91	Good	Three separate blanket ballots, in varied colors, with alphabetical order.	Marking each name.
Mississippi	1890	Good	Blanket, with order unspecified.	Marking each name.
Missouri	1889	Good	Blanket, with party group and name.	Erasing names not voted for.
Montana	1889	Good	Blanket, with alphabetical order.	Marking each name.
Nebraska	1891	Good	Blanket, with alphabetical order.	Marking each name.
New Hampshire	1891	Good	Blanket, with alphabetical order.	Marking each name.
New Jersey	1890	Poor	Separate party official ballots, obtainable in and out of polling places.	By ballot in envelopes.
New York	1890	Bad	Separate party official ballots and "paster" ballot.	By ballot.
North Dakota	1891	Good	Blanket, with alphabetical order. All party names grouped at top.	Marking each name or simply party name at top.
Ohio	1891	Good	Blanket, with party group and emblem.	Marking each name or a group.
Oregon	1891	Good	Blanket, with alphabetical order.	Marking each name.
Pennsylvania	1891	Bad	Blanket, with group and name for regular party nominations, alphabetical order for all others.	Marking each name or a group.
Rhode Island	1889	Good	Blanket, with alphabetical order.	Marking each name.
South Dakota	1891	Good	Blanket, with alphabetical order.	Marking each name.
Tennessee	1889	Good	Blanket, with alphabetical order.	Marking each name.
Texas	1891	Good	Probably blanket, with alphabetical order.	Marking each name.
Vermont	1890	Good	Blanket, with alphabetical order.	Marking each name.
Washington	1890	Good	Blanket, with alphabetical order.	Marking each name.
West Virginia	1891	Good	Blanket, with party group and name.	Erasing names not voted for.
Wisconsin	1889	Good	Blanket, with alphabetical order.	Marking each name.
Wyoming	1890	Good	Blanket, with alphabetical order.	Marking each name.

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In considering the comparative merits of these laws it is necessary to bear in mind that no one of them can be said to provide a genuine Australian ballot, for they have all departed in some degree from the original system. There could be no more radical departure from the principles of that system than was made when political designations were admitted to the face of the ballot, yet all the best American laws contain that departure. The laws must be considered, therefore, as so many adaptations of the Australian system, and the advocates of no particular form of law can be allowed to claim that theirs is the only genuine Australian system. There are in the above table two classifications or forms of laws under which all American ballot laws are destined to be grouped in the near future. First, the laws, of which that in Massachusetts was the pioneer and model, providing what is called the alphabetical blanket-ballot; and second, the laws, of which the Indiana statute was the pioneer and model, providing a party-group blanket-ballot. Some of the laws in the second classification have simply the party name at the head of each group, while others have both name and an emblem. The principle is the same in both, the emblem simply carrying it a little further and making a more positive concession to illiteracy in the electorate.

I think there can be no question that the alphabetical arrangement is the better and more desirable of the two; but, while conceding fully its superiority, I am unable to realize the force of the objections which are made to the party-group plan. It seems to me that in most of these objections it is assumed that it is one of the functions of the new system to encourage independent voting, and that such voting can be encouraged by putting obstacles in the way of straight-party voting. Both these assumptions appear to me to be mistaken. As I understand the new system it is not designed to give aid and encouragement to any particular kind of voting at the expense of others, but to secure absolutely fair, secret, and easy voting for all. It cannot be denied that the number of electors who desire to vote "straight-party tickets" is enormously in excess of the number who desire to vote independent or mixed tickets. Surely these straight voters are entitled to have the process of balloting made as easy for them as possible. Their rights in the premises are as sacred as those of the independent voters.

My conclusions on this point have been reached after careful observation of the practical workings of the laws included in the foregoing table. I have been unable to see in what respect the workings

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of the alphabetical laws have been superior to the workings of the party-group laws. In Indiana, Ohio, Missouri, and other States in which the latter have been tested the results have been so completely satisfactory that all criticism has not merely been silenced but turned into praise. This was notably the case in Ohio, whose law was in operation for the first time at the election in November. One of the bitterest opponents of the new system, from the outset of its advocacy in this country, had been the Cincinnati "Commercial Gazette," whose editor had invented for it the name of the "kangaroo system" and had denounced it with unceasing bitterness up to the last moment preceding the election. On the day following the election he made this full, frank, and instructive confession of error:

"Our citizens can be congratulated on the general conduct of the momentous affairs of the day, offering so happy a contrast to the methods of a few years ago, when howling mobs surrounded many of the voting places, fighting within themselves, pulling and pushing voters about, and shamefully maltreating some; when even police officers took a hand in unlawful and unruly proceedings, and clubbed and dragged unoffending citizens to the station houses in order to prevent them from voting. A reaction to better times has come. The political bummer and thug has been relegated to the background, where he is made to behave himself, while good citizenship, always the majority power when it chooses to assert itself, has come to the front."

There has been no State in which trial has been made of a law with either the party-group or the alphabetical ballot from which the same testimony has not come. No serious proposition has been heard in any State for a return to the old system. Defects are sometimes mentioned, but these can be remedied by further legislation. Wherever complaints are heard they arise in States in which make-shift adaptations of the new system, inspired or constructed by its enemies, have become laws.

I nave dwelt at this length upon the alphabetical and party-group laws because the relative merits of those two forms of the new system constitute the only controversial phase of the ballot-reform movement of the present day. The movement itself has long since passed the experimental stage. The complete adaptability to American needs and the desirability of its acceptance in every State are now admitted on all sides. It would, I am thoroughly convinced, have been adopted in every State, and adopted in a desirable form in all by this time, had it not been for the opposition of Governor Hill in New York. He has supplied all the arguments which have been used to delay the progress of the reform and all the ideas which have found embodi-

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ment in the make-shift substitutes which have been enacted in a few States. The most objectionable of these is the present New York law, with its separate party ballots and its pernicious "paster" ballot. According to this law each party or organization must have a separate ballot of its own, with no political designation or other distinguishing mark. The State prints all the ballots and they are to be obtained only in the polling places on election day. Under the "paster" provision a complete ballot can be circulated outside the polling places and can be voted by any elector as his ballot by being pasted by him upon the face of any one of the other ballots. This permits the political machines and bosses to invade to some extent the secrecy of the ballot, and enables "deals" and "trades" to be made by means of "pasters" which, while seeming to be honest and complete tickets, are really mixed or "doctored" ones. The law was a poor one as it was first passed, but it was made far more objectionable by amendments which the Legislature of 1891 made to it. The effect of these was to throw such obstacles in the way of independent nominations and ballots as to amount to a practical prohibition. The law as it stands is the poorest and most unfair of the entire thirty-three in our list.

Next to the New York law in defectiveness must be considered the Connecticut law which was enacted to meet the objections which Governor Bulkeley made in vetoing a throughgoing application of the Australian system, and which is borrowed with little attempt at disguise from Governor Hill. It provides for unofficial, separate party ballots, distributed in and out of the polling places, and voted in official envelopes. It is a crudely drawn statute of which little improvement by amendment is possible. It ought to be superseded by an entirely new law based upon those which have succeeded so well in Massachusetts and other States. Governor Hill's influence is traceable also in the New Jersey law, which has separate party ballots that can be obtained both in and out of the polling places and must be voted in envelopes. It is nearly or quite worthless as a reform measure and ought to be supplanted by a genuine one.

The Pennsylvania law is second only to the New York statute in the unfairness shown to independent and third-party candidates. It provides for a blanket-ballot with the names of the candidates of regular parties arranged in groups with the party name at the top, but requires the names of all other candidates to be arranged in alphabetical order in a common group at the end of the ticket. In addition to

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these discriminations, it requires all independent and third-party nominations to be made so far in advance of election and under such conditions as to amount to a practical prohibition. This law is indeed an excellent illustration of the kind of statute which tricky politicians consent to have enacted when they desire to bring into contempt the reform which it professes to embody.

A similar spirit is visible in the California law, in which most unjust discrimination is made against independent candidates, and which in some respects is a unique measure. It provides for two blanket ballots, one called a "general ticket" and the other a "municipal ticket." On each the names of all candidates are to be grouped in alphabetical order, and they must be printed on paper of differing tints. At the top of each ballot the names of all the parties which have candidates below are to be arranged in a column and any elector who desires to vote a straight ticket without taking the trouble to mark the name of each candidate can indicate his choice by placing a single mark opposite the party name. This provision for voting by checking a party name appears also in the North Dakota law, which in other respects is the ordinary alphabetical blanket-ballot statute.

The Maryland law, which I have classed by itself as only "fair" in character, is made so by a provision, unknown in any other law, which allows all voters of foreign birth except those who speak English, to bring into the polling place, though not into the booth or compartment, a friend to act as interpreter in establishing their right to vote. This friend can remain inside the polling place until the voter with whom he comes has deposited his ballot. It is easy to see that the provision is a dangerous one, making it possible for bosses to keep some kind of a watch upon voters, which though not sufficient to detect the exact character of their ballots would be sufficient to furnish proof that ballots of some kind had been cast by them. It would also enable the bosses to remain inside the polling places the greater part of the time, thus violating one of the most beneficent results of the new system which is the ridding of the polls of bosses, bulldozers, ticket-pedlers, and all other similar nuisances.

The laws now in force in Michigan and Minnesota are outgrowths of well-meaning but defective laws enacted in 1889, and consequently I have given two dates to them in the table. The Minnesota statute has one peculiar feature. It provides for three separate ballots, one on white paper, containing in alphabetical order the names of all candidates for whom all the voters in the State are to vote, one on red

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paper, containing in similar order the names of all candidates for city or municipal office, and one on blue paper, containing in similar order the names of all other candidates. That is to say, the regular alphabetical blanket-ballot principle is applied to three separate ballots printed in different colors.

Three States, Mississippi, Kentucky, and Texas, have embodied the new ballot system in their constitutions. The same convention which gave Mississippi a new constitution gave her also an election ordinance which provides for a blanket-ballot with the names of candidates arranged in groups under the offices in such order as the "sound judgment of the officer charged with the printing" may dictate. This law was put in operation at the election in November last and worked successfully. Kentucky and Texas have adopted constitutional amendments directing their Legislatures to enact the necessary laws to carry the new system into practice. In my table I have assumed that the alphabetical blanket-ballot will be the form adopted. One other Southern State, Tennessee, has had the system in successful operation since 1889, but the South as a whole has been very backward in awaking to the merits of the reform.

This is somewhat inexplicable in view of the obvious special advantages which the new system has for the Southern people. It furnishes them with the only method by which they can get rid of the great bulk of the colored vote in a legal, peaceable, and unobjectionable manner. Northern critics cannot complain of them if they exclude the negroes from the exercise of the franchise by means of a system of voting which the North has accepted. But beyond and above the importance of silencing criticism should be reckoned the moral gain to the South itself which would come from the abolition of the present means employed to keep the negroes from voting—intimidation, bribery, tissue-ballots, false counting, and all the rest of the train of pestiferous devices. No man can estimate the harm which persistent, systematic, and undisguised cheating at the polls does to a people who practise it. The rising generation is brought up to believe that such cheating is patriotic and right, is in fact not merely a part of the political machinery but a recognized principle in the code of political ethics. From cheating of one kind to cheating of another kind and of all kinds the step is both natural and easy, and unless the South shall take warning in season it will discover, as surely as the night follows the day, that the methods which it has adopted to prevent negro ignorance from gaining the control of its public affairs have dealt a blow

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at white integrity and morality from which they will not recover for a generation. Probably the chief reason why so many Southern States have delayed to adopt the new ballot-system has been the consciousness that by doing so they would shut from the polls a good deal of white ignorance together with the black ignorance, but that is only another argument in favor of the reform.

It is a fact of incalculable importance that the approaching Presidential election will be decided for the first time in the history of the country by a secret ballot. All the States in which money has heretofore been used most freely for corrupt purposes in such elections will vote in November under the new system. There can be no intimidation of voters in Massachusetts, Rhode Island, or Ohio; no "blocks of five" can be marched to the polls in Indiana; and whatever "soap" may be used in Maine, New Hampshire, New York, or West Virginia will have to be distributed in blind faith that the recipients of it will keep their bad bargain and vote as they are bribed.

It follows that in this campaign the professional corruptionists will be less in demand as the chairmen of campaign committees than heretofore because they will be less useful; but we cannot hope to be rid of them until the ballot-system which has made bribery difficult and unprofitable, by breaking the connection between the briber and the bribed at the critical moment, shall have been supplemented by corrupt-practice laws which put a limit upon all expenditures and compel sworn publicity of all money received and spent either by a candidate or his agent or his campaign committee. It was admitted in the last election in New York State that the corruptionists had hit upon a new plan for buying votes. They would not trust a bribed man to vote in secret, so they hired him to refrain from registering. If his name did not appear upon the registration lists the briber had evidence that the bargain had been kept. This method of bribery is forbidden by the present corrupt-practice act of New York, but it is very difficult to obtain proof of its practice. If campaign expenditures were limited and complete public accountability for every penny received and spent were required from candidates, agents, and committees, this proof could not be concealed and the consciousness that it could not be concealed would put a stop to bribery. This has been the effect produced in England, where a corrupt-practice act was made the corollary of a ballot-act; and English elections were far more corrupt than ours have ever been.

JOSEPH B. BISHOP.

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BRAZIL: THE LATE CRISIS AND ITS CAUSES.

BRAZIL, the land of bloodless revolutions, has achieved another triumph in the cause of political rights. President da Fonseca had vainly sought to incorporate into the federal constitution the privilege of prorogation of Congress. It had been a royal prerogative of Dom Pedro II., and had many times been exercised. But Brazil was more thoroughly republican than even its first republican President had imagined. When, after a long and bitter struggle with Congress, he unlawfully assumed this authority, the voice of the people protested; the alternatives were civil war or resignation, and he chose the latter. Thus have probably ended forever the pretensions of Brazilian Presidents to autocratic power.

Brazil has been singularly free from retrogressive steps in the course of her political evolution. Every effort to usurp undue authority has been met with determined resistance, and has ended in a firmer establishment of the rights of the people. When Dom João VI., King of Portugal, fled to Brazil in 1808, his first important act was to publish the *Carta Regia*, by which the ports of his great South American colony were for the first time opened to the commerce of the world. It was a concession fraught with great consequences, comparable in a measure with those of *Magna Charta* in England, being the beginning of Brazilian liberties. The King and his entire court having settled in Rio de Janeiro, it became advantageous to increase the dignity of Brazil, which was done in 1815 by the decree constituting it a part of the United Kingdom of Portugal, Algarve, and Brazil. The situation under this arrangement soon became strained, however, and a representative government was proclaimed in the mother country. The agitation extended to Brazil, the army took up the cause, and Dom João felt his throne begin to totter. It was an exciting crisis, but in the midst of it the prince, Dom Pedro I., acting as mediator, obtained mutual concessions from the people and from his royal father, according to which a constitutional government was established, Dom João returning to Portugal, while Dom Pedro was to remain in Brazil as Prince Regent. It was a tremendous victory, accomplished without bloodshed.

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With almost bewildering rapidity the cause of liberty and popular government advanced. The authorities in Portugal assumed an arrogant dictatorial attitude toward Brazil. The young prince resented it in the name of his regency, and on the seventh of September, 1822, scarcely more than a year after the proclamation of the first constitution, we behold the strange spectacle of royalty espousing the cause of an oppressed people, and giving the watchword to a new era, "*Independencia ou Morte.*"

Without resistance Brazil glided into the enjoyment of autonomy, and two years later, by her new constitution, although retaining Dom Pedro I. as Emperor, she secured a representative government, with toleration of all religions; publicity of judicial proceedings; right of *habeas corpus*, and trial by jury; legislative power vested solely in the General Assembly; and legislative assemblies in the several provinces for local laws, taxation, and government. Freedom of the press was likewise accorded. This was an immense gain for a nation which only sixteen years before had been the colonial vassal of an autocratic monarchy across the seas!

But Dom Pedro I., the idol of the people, styled even "The Washington of Brazil," excited suspicions of a desire for larger powers. On April 6, 1831, he summarily dismissed the ministry which enjoyed the confidence of the masses. The opposition blazed forth like a conflagration. By night-fall Rio de Janeiro was in the hands of a mob, and the Emperor was besieged in his palace of São Christovão. One by one his adherents deserted, until at midnight he stood alone. Then, believing that he knew not how to govern Brazil, he announced to the turbulent populace his abdication in favor of his son, Dom Pedro II., a child only five years of age. Thus ended the second revolution, and the business of the nation went on, ruffled only by the incident of a single day.

The question of the regency next disturbed the political atmosphere. First it was vested in a council of three, elected by the people. Then followed a revision of the constitution, and a change to a single regent; but men placed in authority with nothing to fear but removal, misused their power to such an extent as to provoke a popular outburst. Catching the spirit of an enthusiastic member, the entire Chamber of Deputies, attended by an increasing multitude of citizens, marched across the city to the Senate, and in joint debate decided to abolish the regency, and to place Dom Pedro II., then fourteen years of age, in charge of affairs.

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We are all familiar with the peaceful extinction of slavery which this wise monarch accomplished within his realm, and the final summary notice of his deposition sent to his palace at Petropolis on the morning of November 15, 1889. The heart of the world was touched, and the hearts of the Brazilians as well, when the noble ruler, coming down to the same palace of São Christovão, where his father, held at bay by the mob years before, had signed his abdication, said simply, "I have told you that when you wished a republic I would give it to you. I bow to the will of the people."

Momentous changes such as these, wrought without the horrors of civil war, require an explanation. The like has never been seen elsewhere in the world. Madame de Staël vainly hoped that France might wear the halo of such a history, but Gallic liberties, Anglo-Saxon liberties, free and popular governments everywhere save in Brazil, have been purchased with blood. The force of an example set in the first uprisings has doubtless contributed to this remarkable course of political development. Dom João VI. began by making concessions to the people. When the revolution occurred he had too much at stake in Portugal to risk further complications in Brazil. His son, taught to respect the rights of his subjects, and foreseeing a brilliant future for himself in Portugal, was the more willing to make the sacrifice when his turn came. Dom Pedro II., schooled in a liberty-loving country, and having the good of his native land at heart, chose the rôle of patriot.

With such models before him President da Fonseca was naturally impelled to acquiescence when the will of the people showed itself against him. The Portuguese nature is furthermore apathetic. This spirit was developed in the house of Bragança to a marked degree, and the Brazilians as a race partake largely of it. Causes leading to these political upheavals had also in every instance been operating long before the event transpired. Mutterings of discontent against the Princess Isabella, and her husband the Conde d'Eu, had for years disturbed the empire. A republic must come soon. The Emperor knew it as well as the people. When the Visconde de Ouro Preto was called to form a Liberal ministry in June, 1889, the Historical Republicans feared that it meant a tightening of the reins for the heir apparent. It was believed, rightly or wrongly, that Ouro Preto purposed dispersing the army and navy on the frontier, and substituting a national guard in the important cities, which would weaken the power of the opposition. On November 9, 1889, at a meeting be-

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tween prominent Historical Republicans and members of the army and navy, held at the Military Club in Rio de Janeiro, the step was resolved upon which Deodoro da Fonseca carried out six days afterward.

The new government was received with almost universal rejoicing. Demonstrations adverse to the dictator, inspired by a lingering preference for the monarchy, or by a distrust of the sincerity of President da Fonseca, occurred in a few places, but the country soon subsided into a state of peaceful expectancy, colored with rosy hopes for the future. The Provisional Government, which had at first inaugurated a rigid and somewhat despotic administration, relaxed its severity, and its promptness in recognizing the imperial contract with the Banque de Paris for the establishment of a bank of issue, known as the Banco Nacional do Brazil, inspired public confidence, and offset to a considerable extent the injurious effect of the shock to commerce incident upon so radical a change in the form of government. The Administration, however, could not have done otherwise without precipitating disaster to itself and the country. Although the treasury had been repleted by the imperial loan of 1889, the Banco Nacional offered the only solution of future difficulties which the new government would speedily encounter.

The foreign indebtedness of Brazil amounted in round numbers to $154,000,000, which represented loans dating from 1863, and drawing interest at from 4 per cent to 5 per cent. The internal debt was still larger, in addition to which the Imperial Government had guaranteed interest upon a railway capitalization of $144,000,000. The São Paulo Railway, with a capitalization of $9,600,000, was the only road earning the amount of its guarantee. Authorization for certain public works and for guarantees of interest upon capital to be invested in enterprises such as the establishment of sugar-mills for custom work, had been given, and the new government felt impelled to prosecute these undertakings for the sake of winning favor in the provinces which would be benefited thereby. It will be seen that President da Fonseca and his cabinet had inherited heavy burdens. But the Banco Nacional, if not a safety valve for the financial stress, was at least capable of being turned into a pressure regulator, up to a certain limit.

This institution was created by a concession, first publicly announced in September, 1889, providing for a capital of 250,000,000 francs gold, one half to be called by the government upon the estab-

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lishment of the bank, and 450,000,000 paper money was to be recalled and substituted by issues of the Banco Nacional, payable in gold on demand, and the bank was to receive Brazilian 4 per cents for the paper thus called in. The liquidation of the Brazilian International Bank was also involved in the transaction. The new bank began business on October 4, 1889, with the Conde de Figueirido as president, and was fairly launched on October 26, when it made its first deposit with the Government of 12,500,000 francs, receiving 4 per cent bonds in return. The par value of the shares was 566 francs 50 centimes, but in view of prospective profits they had reached a premium of 180 francs. The revolution, however, caused a decline to 80 francs premium, but confidence was soon restored, especially when, on December 14, Brazilian 4 per cents were admitted to official quotation on the Paris Bourse. On March 15, 1890, the Banco Nacional was authorized to issue paper money to double its deposits with the government, and by the 10th of May the shares were below 580 francs. A financial stringency was becoming severely felt, which the government futilely sought to relieve by increasing the circulating medium. In July its desperation led it to imitate the unfortunate example of Argentina by the creation of an "hypothecary" bank, authorized to make *cedula* issues based upon mortgages on lands, buildings, factories, and even upon immovable apparatus belonging to industrial enterprises. If Brazil failed to heed the warning of Argentine disasters, European investors did not, and the *cedula* notes, luckily for the new republic, received a cold welcome.

A curious circumstance is now to be noted. Money had never been plentiful in Brazil, but as soon as the Republic seemed to be an assured fact and peace was securely established, the money in circulation increased enormously. Suddenly Brazilian capitalists became as numerous as before they had been rare. Enterprises everywhere, owned by foreigners, were purchased by native syndicates, and many new enterprises were started. The explanation of this phenomenon was not far to find. The sentiment favoring a Republic, like a slow fire, had spread throughout the empire, and was smouldering in every home in the land. A peaceful revolution had not been anticipated, and under this state of incertitude the people had hoarded in their private coffers all the gold they could spare. This was the source of the unexpected out-pouring of coin. But this period of abundance was short-lived. Immense sums were transported to Europe in payment for the purchases which had been made from foreigners, and

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considerable amounts were sent abroad by some timid people for safe deposit.

The government had decreed that after October 1, 1890, all customs duties must be paid in gold, which helped to depreciate the paper currency, and to create alarm. This decree was afterwards modified to take effect on November 15, but an effort was made at the same time to set free Brazilian money by converting the 5 per cent currency bonds into 4 per cent gold bonds, holding the gold obtained from the customs receipts as security, hoping thus to attract foreign buyers.

In December, 1890, the Banco Nacional absorbed the Banco dos Estados Unidos do Brazil, and became the Banco da Republica, with a capital of 200 million milreis,* and enjoying the privilege of issue for the whole republic for 60 years, respecting, however, the right of issue then held by other banks. The paper currency of Brazil at this time consisted of 187 million milreis treasury notes, in gradual process of withdrawal; 170 million milreis in bank notes against 4 per cent bonds; and an issue of bank notes against gold deposits in the national treasury to the amount of 160 million milreis; making a total of 517 million milreis in actual circulation. The status of the exchequer was rapidly growing alarming. Whereas the ordinary budget for 1888 had closed with a deficit of $540,800, and that of 1889 with a deficit of $13,233,600, that for 1890 presented on the minus side no less than $23,785,600. The Minister of Finance issued a statement at this juncture intended to show that the deficit for the coming year would not exceed $14,000,000, but subsequently it was discovered that the deficit would reach nearly $19,000,000.

The constitutional convention played an unexpected part in hastening a crisis. The members of President da Fonseca's cabinet were at the same time members of the convention. The President and his ministry differed violently upon questions of financial policy, especially with regard to the granting of concessions and the prosecution of public works. A sort of gambling in concessions had arisen, which the President desired to terminate. His endeavors might have been cordially regarded had he not on the other hand proposed to employ the money saved from guarantees of interest upon sugar-mill concessions and others, in an expensive harbor improvement in Rio Grande do Sul. The principal cities of this important southern frontier province are Rio Grande, and Porto Alegre, of which the latter is the cap-

* The milreis at par equals 54.6 cents U. S. money.

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ital. Porto Alegre is at the northern extremity of the great lake dos Patos, and Rio Grande at its southern end, at the head of the channel which connects it with the sea. The mouth of this channel is obstructed by shifting sand-bars, but within the lake there is abundant depth of water for large ships up to Porto Alegre. Near the upper end of the lake is a place known as the *Torres*, where the sand spits which divide the lake from the sea are comparatively narrow. It has long been proposed to cut through this spit, when, it is affirmed by the engineers who have reported upon the project, the force of the current from several rivers which empty into the lake immediately behind it will keep a deep channel scoured out, and afford easy access to both of these cities by vessels of any draught. President da Fonseca who had formerly spent much time in Rio Grande do Sul in official positions was infatuated with this enterprise. It had been authorized by the Imperial Congress, so that nothing was needed but an order signed by the ministry and the President to carry it into effect, but the ministry declined to do their part. The President finally ordered them to do so. They craved time for further consideration, and pending their decision they forced the deliberations of the constitutional convention as rapidly as possible until it reached the section in the provisional draft prohibiting cabinet-officers from holding at the same time a seat in Congress. As soon as this was passed in the convention the ministry handed their resignations to the President, affirming that consistency demanded it, and thus they escaped the necessity of openly refusing to sanction the *Torres* project.

The old ministry now constituted the leaders of an active opposition to the administration. When the convention had ended its labors, practically the same men were returned as members of the first Congress, the old ministry among them. The opposition to the President grew more bitter from day to day. While much good work was done, a spirit of needless antagonism to the executive prevailed, which the sober minds of Brazil will long have cause to deprecate. The President and his cabinet are open to precisely similar censure, and are especially to be blamed for refusing to yield to the urgent appeals for a change in the financial policy of the nation. A concession upon this question could easily have been made at this stage, with the advantage to the executive of shifting the responsibility upon Congress. Baron de Lucena, the minister of finance, may have honestly believed his course to be wiser than that proposed by his critics, but he admitted the financial extremity of the government in a long report,

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in which he endeavored to charge the embarrassment to a variety of causes, such as the weakening of exchange due to excessive gambling in stocks; the discredit into which the multitude of stock companies had fallen; the fusion of banks which had disturbed the relations of exchange and produced a veritable financial dictatorship; the want of wisdom in the law of 1846 which had fixed the monetary standard of Brazil at 27 pence per milreis, instead of 24 pence as it should have been; the periodical fall of exchange when the government entered the market for a loan, occasioning a loss to the treasury by reason of these fluctuations; the expensive political manœuvre for the creation of a fictitious confidence, regularly resorted to by previous ministries, by which the bankers were authorized to produce artificial advances, the treasury being charged with the difference between the official and non-official exchange rates. From this cause alone, he stated, the treasury had suffered a loss of 71,380,736 milreis in 1889. He also affirmed, which to a certain extent was true, that up to that time neither the provisional nor the constitutional government had employed the credit of the nation for loans at home or abroad. Lucena, however, insisted upon increasing the issue of paper money, upon collecting duties in gold, and using the gold deposits, held as security for the bank issues, in payment of certain of its obligations. Neither did he contemplate any reduction of expenditures upon public works and guaranteed concessions.

Early in October, 1891, a joint committee of the senate and chamber was appointed to draft a currency bill, which it reported in direct opposition to Baron de Lucena. This increased the friction between the Administration and Congress, which was intensified to such a degree as almost to stop the wheels of government when the budget of public works, bristling with prohibitions and curtailment of powers, was passed toward the end of the month. The right to make subsidy grants and interest guarantees, without special authorization of Congress, was taken from the executive; renewal of lapsed grants was absolutely forbidden; and all grants of privileges were subject to the approval of Congress. Additional currency issues were prohibited; even the regional banks were not to complete their authorized issues; the government was required to restore the gold deposits to the treasury; the gold duties were to be abolished, in place of which an increase of percentage was authorized; and the banks were compelled to publish monthly balance sheets. The wish of the administration to raise funds by leasing the government railroads for fifty years also was

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refused. This was certainly striking at the root of the troubles, but it came too late in the struggle. The irritation resulting from a protracted systematic opposition between Congress and the Administration had rendered concessions possible only by a magnanimous sacrifice of the principles for which the battle had been fought.

Party warfare was now raging fiercely. In the midst of it President da Fonseca vetoed the "Incompatibility Bill," which provided that no one should hold a state and a federal office at the same time. The veto was an act of stubbornness born of the lamentable policy of systematic opposition then prevailing. Congress secured a two-thirds majority to pass the bill over the veto by excluding the vote of Senator Pedro Paulino da Fonseca, the President's brother, who as governor of Alagoas was said to be too deeply interested in the result. Negotiations for a reconciliation between Congress and the Executive, which had been pending, were instantly broken off. Congress next retaliated by passing a bill denying the right of veto to the President. This was a direct violation of the constitution, which document endows the executive with this right, and specifies that an amendment to the constitution can be made only by being proposed by a fourth part of either House of Congress, or by two-thirds of the States of the Union; passing three readings; holding over until the following year; and then, after again passing three readings, receiving a two-thirds majority of the votes of the Chamber and Senate.

Congress having thus exceeded its powers, the President imitated the example set him, and dismissed the National Assembly on the ground of incompetency. There appears to have been no intention of doing more than to carry the question to the people, but an uprising similar to those which had driven three monarchs from the helm of Brazilian affairs forestalled the decision of the ballot-box. That spirit of acquiescence which has saved Brazil from civil war so often saved her again. When the Dictator saw Rio Grande do Sul in arms he prepared to quell the movement. When he saw that the Republic had taken up the cry, he resigned. The war clouds rolled away, and Brazil is once more at peace.

In looking back over the events of the past two years, one of the conspicuous features of Brazilian political life is a spirit of rivalry between the provinces, comparable only to that existing between our own Northern and Southern States immediately after the period of "reconstruction." Bahia, for example, hates Pernambuco, and the compliment is cordially returned. The cause of this is that in 1817 a local republican

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movement in Pernambuco being divulged, a revolt of that province was precipitated, and the Pernambucanos were severely chastised by troops from Bahia under the Conde dos Arcos. Subsequently a revolt in Bahia was quelled by troops from Pernambuco, who did not forget to improve this occasion to pay back their old grudge. These unfortunate episodes have been several times repeated, adding corresponding increments of ire and detestation. In the extreme south the very name of "Bahiano" is used as a term of opprobrium. Rio Grande do Sul, which so promptly organized a revolutionary movement during the recent troubles, has always been ready for an appeal to arms. From the earliest days of the monarchy she has been in a more or less unsettled condition. In 1835 she revolted and remained in *quasi-* but unrecognized independence until 1848, when the trouble was finally settled by arbitration, no active warfare having taken place. There was also considerable disturbance in Rio Grande do Sul shortly after the fall of the empire. The explanation of this divergence from the Portuguese character is probably to be found in the fact that the inhabitants in this State have very little Portuguese blood, consisting chiefly of descendants of Spaniards and the powerful and superior race of Guaraní Indians. A large number of Germans also have settled in this State, and in some degree have amalgamated with the natives. The climate of Rio Grande being temperate may likewise influence the character of the people. Then their nearest neighbor is the independent republic of Uruguay, similar in climate, not unlike in race. But Rio Grande has never been self-supporting, so that her demonstrations, while undoubtedly exercising a salutary moral effect at times, as in the recent troubles, sooner or later succumb to the necessities of the exchequer.

In the Northern provinces there exists a jealousy arising from an abundance of resources. Pará, for instance, is not only self-supporting, but the export-tax on rubber yields a handsome revenue for the Central Government. Mutterings of revolt are not infrequent in Pará and Amazonas, and in 1835 Pará was in open rebellion. Even now it is confidently asserted by some that her independence is only a question of time. Judging from the lessons of the past this would seem unlikely to happen.

It is plain, however, that Brazil has no strong organic political unity. The recent Administration felt this difficulty keenly, and much of its extravagance was incurred for the sake of allaying these local jealousies, and thus gaining the allegiance of the States. The

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endeavor was fruitless. Although each province unceasingly protests that it fails to secure its rightful share of the spoils of office and of the national expenditure for internal improvements, when it finally enjoys these fancied blessings it is not content. Rio Grande do Sul was to have been peculiarly favored in the matter of public works, but it was the first to protest against the dictatorship of its benefactor. This is as it should be. Loyalty for political favors rather than for principles of right, is thoroughly base, and the State that chooses a loftier standard of political morals, in spite of valuable harbor improvements, is worthy of the highest respect. It happened in this case that Rio Grande espoused the national cause. In times past she has demonstrated separatist tendencies, such as manifest themselves in many other provinces. The fact is that the existing political bonds in Brazil consist principally in a community of language and customs, and an easy, tolerant disposition, not stirred readily into resistance,—bonds which are negative rather than positive.

In England they say that Brazil is too large for a centralized republic, in which it would seem that they forget the example of the United States, and how easily the inconveniences of distance may be overcome by the railroad. The difficulty lies not in the size of Brazil, but in the lack of foresight on the part of her statesmen who guaranteed interest upon $134,400,000 invested in a host of isolated railroads which have given the country no highways for inter-state communication. Brazil has paid in these guarantees the enormous sum of $65,000,000, making a grand total of $199,400,000 expended upon profitless railroads, enough to have given her a trunk line 4,000 miles in length, connecting all the seaboard States together, allowing the generous provision of $50,000 a mile as the cost of construction. Instead of this, save in the case of the three States of Sao Paulo, Rio de Janeiro, and Minas Geraes, these roads penetrate only a short distance into the interior from the principal ports of the various provinces. The development of trade in each province continues, consequently, to be as independent of every other as in the days before the locomotive whistle broke the stillness of Brazilian forests. Inter-state communication is still maintained exclusively by sea. There is a certain amount of trade between the provinces, but the export business is everywhere of paramount importance, and thus it happens that the commercial interests of each great port lie chiefly with the European marts which receive its consignments, and there is practically nothing to cement it to the rest of Brazil. The railroads have added very

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little to the prosperity of the States, but exist as an expensive luxury. The effect upon Brazil of free communication by rail between the populous States would be marvellous. With all her disadvantages she has achieved phenomenal progress in the development of constitutional government. She has been noted for decades for the neatness and excellent management of her plantations. Her citizens have amassed wealth, and her credit as a nation has been admirably sustained. What she most needs now is a great national highway to break down the barriers which petty rivalries oppose to her progress; to assimilate "Paraenses," "Bahianos," "Pernambucanos," and the rest, into one intensely Brazilian people; and to promote a large and equable development of her resources through easy facilities for a domestic interchange of her varied products. Well may she grieve to think that she has suffered to be almost wasted the sums sufficient to have procured her these blessings.

It seems certain that Brazil has passed through a crisis which has settled satisfactorily the permanence of her Republican form of government. A dictatorship, even a temporary one, has failed, and no one will be likely to repeat the experiment. The gravity of her financial situation has taught her such a lesson that the next recipient of Presidential honors will necessarily be pledged to a re-establishment of national credit. She has discovered, too, that her constitution was not suited to every emergency, and this is certain to undergo revision. Fortunately she needs only activity, energy, and prudence to bring her prosperity to an even higher pitch than it was before. She is not suffering under a foreign indebtedness like Argentina. Her speculation on the contrary has been with her own money. Indeed there exists no real scarcity to-day, for at one time, near the end of the recent troubles, there were on deposit in the banks 486,000,000 milreis out of a total circulating medium of 517,000,000 milreis. Anxiety for the future stifled enterprises and business of every sort, driving the money into the vaults. Now that the stress is over, and the Republic is apparently safe, it is reasonable to believe that a renewal of public confidence will restore commerce to a normal condition, and that Brazil may enter upon a career in which she will fulfil the hopes of future greatness cherished by her true statesmen,—and by none more than her former Emperor, who has died in the desolation of exile.

COURTENAY DE KALB.

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WHY THE SILVER LAW SHOULD BE REPEALED.

To the inquiry, Why I think the silver law of 1890 ought to be repealed, I reply—

The law is not reciprocal in its operation, because the Government, in doing business as a banker, does not deal with its customers, the public, upon equal terms. It buys silver bullion at market price, paying for the same in currency notes; but when a holder of the notes desires to redeem them he can get back only silver coins containing a uniform but much smaller amount of silver than the market value in bullion given for them; and, therefore, the notes are not redeemed at cost. The silver consequently accumulates in the Treasury at the rate of four and a half millions of dollars per month and there lies buried—a torpid and useless mass, with no practical provision for its release.

Now what is the practical use of all this? If it were gold, the exact amount originally paid for it would be always available, and when withdrawn, it would be everywhere equal in value. The deposit and redemption would constantly follow each other as public convenience required; the temporary and safe custody of the gold being the sole object in view. What good reason is there for this discrimination between the treatment of the two money metals?

Two reasons are given. First—that the withdrawal from the market of so much silver gives encouragement and protection to the producers of that metal; and, second—that it creates a currency for public use, made legal-tender for the payment of debts and good for domestic trade and home use. But are these good reasons? Why should the Government thus create an extraordinary demand for one particular product of industry, and give to that product an advantage over every other of equal merit and importance? And is the currency so created a natural and intrinsically sound and healthful one, that invariably promotes the transmission and just distribution of values among the people, and certain to be redeemed under all circumstances at its full commercial equivalent?

A currency that has not these qualities imperceptibly swells the

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existing volume, depreciates the purchasing power, and creates an adverse balance of exchange with other nations, until its full redemption ceases and volume and value grow wider and wider apart. In such case every new emission gives only momentary relief because the added sum brings into the market no corresponding exchangeable assets, but is immediately absorbed in the existing mass and is lost by further depreciation of the whole. To meet such a recognized contingency consequent upon this continued purchase of unused silver bullion, and to replenish the gold reserves, our Government claims the right to sell its bonds bearing five per cent interest. But is it reasonable for a Government to continue in operation a law whose natural tendency is to produce such results, and then seek to repair the damage thus unnecessarily done by entering its credit in competition with that of other Governments in Europe for the recovery of the gold so lost? Whenever that occurs the necessity will be so apparent, that a concession in the price of bonds must be submitted to. The alternate issue of legal-tender notes and the sale of interest-bearing bonds to sustain them, are measures that vividly recall the financial experiences of the war. That such wasteful expedients should be adopted in a time of peace and national prosperity will not be creditable to the country. It will prove a fearful cost for the locking up of silver bullion which sooner or later must be sold for whatever price it will command.

The present policy cannot go on forever. The amount of depreciated silver in the Treasury and in private reserves now exceeds $500,000,000. To maintain the parity of this large sum with gold was not an easy task for the Government a few months ago; and, had the shipments then in progress continued but a short time longer, it is more than doubtful whether in the condition of the European market suspension of gold payments would not have been forced upon us. Fortunately a bountiful harvest of every variety of the earth's production has turned the tide of commerce largely in our favor and not only averted that special danger but gives promise of yet more abundant supply of gold reserves.

With such conditions of extraordinary magnitude, why should this silver law not be repealed? It certainly has not met the public expectations. The price of silver bullion has not been advanced by it as promised, nor has it produced the predicted general prosperity. Although assured as never before of countless coming blessings from the coming crops, the country is even now halting and hesitating in its enterprise in a marked degree because of some undefined apprehension

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about the future financial condition. It is not unfair to attribute this feeling to the agitation respecting silver.

This prevailing doubt is, however, not without some good result. It has forced economy all over the land, restrained speculative operations, and prepared the way for the restoration of sound currency. What is thus saved and what is now certain to be earned through the gathered crops have together provided means and brought the country to a most favorable time when the silver law can be repealed with the least injury or inconvenience.

There is evidently a marked change in public sentiment upon this important subject which has so far progressed that neither of the great political parties will venture to avow itself distinctly in favor of the act in question, or to assume it as a party measure for the future. Is it not, therefore, safe as policy and timely in principle now promptly to meet the issue, while so many favorable conditions exist, by repealing the law; and after that, to consider how the great mass of silver already purchased can be disposed of with the least injury to all interests involved in it?

GEO. S. COE.

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THE TREATY OF BRUSSELS AND OUR DUTY.

An International Conference composed of seventeen of the Powers of the globe called for the purpose of considering measures for the suppression of the African slave-trade, recently closed its labors at the city of Brussels. It is rather remarkable and tends to illustrate the intensity of our absorption in home affairs that this Conference which sat for the greater part of a year and discussed many problems of vital importance to humanity attracted scarcely any attention on this side of the Atlantic.

It is proposed herein briefly to give some account of the influences which led up to the calling of the Conference, and the outlines of the work that it performed—a task made the more important and timely because the treaty that was framed is now before the United States Senate for ratification; and the responsibility for its life or death rests chiefly upon the action of the United States.

Notwithstanding all the efforts heretofore made by the principal civilized Powers to suppress the slave-trade, the scourge in its most frightful forms continues to afflict Africa. The testimony of travellers, missionaries, naval officers, and diplomatic and consular agents unite in establishing that on that continent, so rich in all the gifts that nature can shower upon it and so full of possibilities for the benefit of mankind in the future, the most atrocious crimes are committed every day by those engaged in the slave-traffic. From the testimony referred to, volumes of which were laid before the Conference, it appears that through intestine wars incited for the purpose of procuring victims for the trade, provinces as large as kingdoms are depopulated, many villages destroyed, and vast areas of country devastated and set back into a savage state, which previously had been under cultivation. The most moderate estimates place the number of slaves annually transported to the various slave-markets by land and sea at not less than 80,000; and to be added to this number are those who perish on the way to the sea or are killed in the attacks upon the villages and in the wars fomented to facilitate the trade, which, it is believed, reaches 400,000; or more than 1,000 lives every day in every year.

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As, however, a great part of the coast line is now in the possession of civilized Powers, the trade has become concentrated more and more in the heart of the continent and along the caravan routes leading to the sea or across the great deserts, and this fact renders the adoption of new and different methods necessary for its suppression. Of the 80,000 slaves surviving out of the number captured each year, some are retained in bondage in the interior countries of Africa, while markets are found for the rest in Morocco, Algiers, Tunis, Tripoli, Egypt, Arabia, Turkey in Europe and in Asia, Persia and Zanzibar; and slaves are surreptitiously introduced also even into certain provinces of British India and Madagascar, notwithstanding all the vigilance exercised by the English and French authorities in the last-named countries. It is a fact that the institution of domestic slavery has been preserved and still exists in all those states, whether African, Asiatic, or European, which are subject to the Mussulman law, and in all such states the negro trader continues to find his markets.

Thus it is that in spite of all treaties heretofore made for the suppression of the trade, from the Congress of European Powers at Vienna in 1815 down to the Conference of Berlin in 1884, when the Congo Free-State was created and the slave-trade interdicted in all the territories forming the basin of the Congo; in spite of conventions between the principal Powers assimilating the trade to piracy and applying the severest penalties to those engaged in it; in spite of all means hitherto used and all remedies applied for the suppression of the abominable traffic which has sacrificed so many millions of human beings on the altar of human greed, and the horrors of which, as has been correctly said by another, "pass the limits of the imagination," it still goes on, and hundreds of thousands of men, women, and children annually perish or enter into life-long bondage in foreign lands. Travellers like Livingstone, Schweinfurth, Speke, Cameron, Burton, and Stanley; the missionaries, those men and women who brave every danger and submit to every sacrifice in the cause of religion and philanthropy and who so often have constituted the vanguard of civilization in savage lands; the diplomatic and consular agents posted in Africa whose duty it is to keep their Governments informed with regard to the social, political, and economic conditions of the country about them, have one and all within the past thirty years filled the ears of the civilized world with reports of these cruelties perpetrated upon the ignorant and helpless peoples inhabiting the interior of the African continent by men-hunters, until at last they have awakened

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its conscience to the necessity of a supreme effort once for all to stamp out the scourge.

The Conference of Brussels in 1889 was the result.

There are two men in Europe whose sympathies were thoroughly enlisted in the cause and who exerted their high and far-reaching influence to produce this result. One of these men is Leopold II., King of the Belgians and Sovereign of the Congo Free-State. No more philanthropic and generous man rules over the destinies of a people than he who accepted from the Conference of Berlin in 1884 the rulership of the 50,000,000 of people occupying the territory known as the Congo Free-State. His time, his health, his talents, and his private fortune have been devoted to the amelioration of the condition of the ignorant natives of that benighted land, and to the introduction among them of the arts and comforts of civilization. His government of the Congo has been to the people inhabiting the country like the breaking of the morning after an almost endless night of profound darkness. In large provinces where there was perpetual war, he has now established peace; where there was no law to protect the weak against the oppression of the strong, he has erected courts of justice which regularly perform their functions, controlled by a wise code of laws adapted to the situation of the country; where there were no means of communication with the rest of the world, he has created an efficient postal service and routes of travel; where there was no way of establishing or protecting titles in individuals to the soil they cultivated, he has ordained a well-guarded land system, with offices and records for the perpetuation of titles; where there was no police and no authority to enforce justice and to secure tranquillity, he has organized a force which accomplishes that end. Steadily and surely he has sown amongst them the seeds of civilization. Towns have sprung up along the Congo River, numerous steamboats float on its bosom, a railroad is in course of construction, commerce is beginning to flouirsh, and the slave-trade has been restrained as far as the limited means at his command would enable him to do it. To these ends he has given generously from his private means. For a number of years indeed he contributed $500,000 per annum to the support of the Government which he established, and his annual allowance to the State for that purpose even now amounts to $200,000. It was in response to his invitation that the Conference of Brussels assembled.

Cardinal Lavigerie is the other man whose influence was largely

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felt in bringing about the sentiment which culminated in the assembling of the Conference. He gave himself to the cause of the redemption of Africa from the slave-trade with all the ardor and zeal of an apostle. In the year 1888 and the beginning of 1889 he travelled over Europe preaching a crusade against permitting its continuance any longer in Africa. At Rome, Paris, London, Berlin, Brussels, and other capitals, his eloquent appeals in behalf of his cause were listened to by large crowds of people and had a marked effect in attracting the attention of European Governments to the subject and finally in exciting their sympathy and co-operation.

The Conference opened on the 18th of November, 1889, with representatives from the United States, Great Britain, France, Germany, Russia, Austria, Hungary, Belgium, Italy, Spain, Denmark, Holland, Portugal, Sweden and Norway, Turkey, the Independent State of the Congo, Persia, and Zanzibar. Its labors were prolonged almost without interruption for a period of eight months. The problems which confronted it and had to be discussed were often of the most delicate or complex nature. Jealousies, antagonistic interests, divergent doctrines and traditions were encountered and had to be dealt with and reconciled, and in some instances concessions had to be made; but the debates clearly show that the unmistakable spirit of the Conference was to keep always in view the fact that its superior purpose was the accomplishment of a great work of justice and humanity.

The general plan of its legislation, if such a term may be used with reference to diplomatic conventions, has application to a territory twice as large in area as the continent of Europe, containing a population of not less than 125,000,000 of people. It applies also to a large maritime zone in the Indian ocean.

The Treaty consists of 100 articles divided into seven chapters, and its provisions authorize the adoption of the most rigorous measures for the suppression of the trade in all its phases. Establishing stations in the very heart of Africa by a system of progressive occupation, it seeks to overtake and strike the scourge wherever it appears, whether at the place of capture of the negro, or while moving along the caravan routes, or in course of transportation upon the sea. It makes ample provision for the chastisement of the wrong-doers and the liberation of the victims wherever found. It declares that the murder, rape, or mutilation of the natives shall be assimilated to the same crimes perpetrated upon white people, and punished accordingly. It restricts the sale of fire-arms and ammunition which have

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been hitherto most powerful auxiliaries in slave-hunting. It regulates and restrains the sale of spirits to the natives, for which they have the same appetite as the North American Indians, and which therefore has been a valuable aid to the slave-hunter in his enterprises. It establishes permanent stations of succor, information, and control in the slave-country. It defines with the utmost precision and minuteness the general principles for the repression of the trade on the sea.

One of the most difficult questions encountered was that of preventing the use of the flags of civilized Powers by slavers. The United States and France especially have at all times maintained the doctrine of the inviolability of vessels flying their respective flags from visit by foreign cruisers. The firm position of our Government upon this question has always met with the hearty approbation of our people, as it should. There is no difference of opinion in this country on the point that the immunity of its flag upon the high seas is paramount to every other consideration or purpose however benevolent, and that it is not compatible with the dignity of the United States, as a great Power, to permit this principle to be violated under any pretence whatever. Yet it is an embarrassing and mortifying fact that the small vessels engaged in the slave-trade along the African coast frequently hoist the Stars and Stripes to protect themselves from visit by the cruisers of other Powers while carrying on the nefarious traffic. It is, therefore, a cause of great satisfaction in examining the provisions of the Treaty of Brussels on this point to find that the difficulty has been skilfully avoided, and the right of visit eliminated as to those nations which do not acknowledge the principle, while at the same time means are adopted which will in a large measure restrain if not put a stop to the abuse of our flag altogether.

The Treaty contains forty-two articles on the repression of the trade on the sea and regulates by a special code the concession of flag-rights on the coast and the verification of vessel-papers. Every detail of the procedure for the application of the system is provided. Three new principles are established for the regulation of the action of cruisers. Their surveillance is restrained to a narrow maritime zone along the eastern coast of Africa; it is confined to vessels inferior to 500 tons burden; and the absolute right of asylum on board vessels of war is given to slaves.

The institution of an International Bureau is provided for, the purpose of which is to facilitate the police duties of the war-vessels in gathering all the information possible relative to the trade in the

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waters of the Indian Ocean. Auxiliary bureaux may be organized for the same purpose at other points within the zone policed by the cruisers. A similar bureau is established in Europe to the end that information concerning the trade may be centralized and to which the contracting Powers may make communications on the subject of the execution of the Treaty. Provision is made also for the establishment of bureaux for the protection of liberated slaves.

The measures adopted in the Treaty for putting an end to the slave-trade impose heavy obligations upon the Governments having possessions bordering on the infested zone. This is especially the case with the Congo Free-State which is required to keep a strong military police. Under Article IV. of the General Act of the Conference of Berlin, import duties are interdicted for a period of twenty years to the Powers having territory in the basin of the Congo. Recognizing the multiplied demands upon the financial resources of these territories, the ratifying Powers of the Treaty of Berlin attached to the Treaty of Brussels a declaration authorizing the countries within the basin of the Congo to levy import duties on merchandise not to exceed ten per cent on their value at the port of importation for a term of fifteen years. A separate declaration between the United States and the Congo Free-State covers the same subject, this separate declaration being rendered necessary by reason of the United States not being one of the ratifying Powers of the Berlin Treaty.

So far as the United States is concerned, it is not called upon under the terms of the Treaty to take any active part in the repressive measures provided for, further than to guard its own flag from abuse by slavers in the manner regulated by the Treaty; to lend its co-operation by appropriate legislation to the prevention of the introduction of fire-arms and ammunition into the interdicted region, save under the conditions stipulated in the Treaty; and to provide for the punishment of any of its own citizens who may be caught participating in the slave-trade.

Such are the general features of the Treaty of Brussels. It embodies the results of long and patient labor. It seeks to accomplish the relief of nearly 200,000,000 people from the worst cruelties that the imagination can picture and to place another continent on the path of civilization. It is a work which should command the universal sympathy and co-operation of all countries. No loftier cause than that of the extirpation of the African slave-trade could actuate the motives of nations, and no remembrance of the nineteenth century

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would be more agreeable than that it marked the period in history when by the united action of the civilized Powers of the world this terrible scourge finally ceased to exist. Religion, charity, justice, humanity,—these are the foundation stones upon which the Treaty of Brussels rests. Will it fall?

Daniel Webster, while Secretary of State, in an instruction written in 1842 to Lewis Cass, our Minister to France, in discussing the position of this country on the slave-trade said:

"Let it be forever remembered that in this great work of humanity and justice the United States took the lead themselves. This Government declared the slave-trade unlawful; and in this declaration it has been followed by the great Powers of Europe. This Government declared the slave-trade to be piracy, and in this, too, its example has been followed by other States. This Government—this young Government, springing up in this New World within half a century, founded on the broadest principles of civil liberty and sustained by the moral sense and intelligence of the people—has gone in advance of all other Nations in summoning the civilized world to a common effort to put down and destroy a nefarious traffic, reproachful to human nature. It has not deemed that it suffers any derogation from its character or its dignity, if in seeking to fulfil this sacred duty it act, as far as is necessary, on fair and equal terms of concert with other Powers, having in view the same praiseworthy object. Such were its sentiments when it entered into the solemn stipulations of the Treaty of Ghent; such were its sentiments when it requested England to concur with us in declaring the slave-trade to be piracy; and such are the sentiments which it has maintained on all other proper occasions."

If views similar to those expressed by Mr. Webster prevail to-day in the Senate, the ratification of the Treaty by the United States will be assured. The ratification by the Governments of all the signatory Powers is necessary to its going into operation. Nearly all of them have already ratified it, and the question of its ratification by the United States is now pending in the Senate.

LAMBERT TREE.

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OTHER HERESY TRIALS AND THE BRIGGS CASE.

HERESY trials seem to be an anachronism in our age and country which allow the largest religious liberty consistent with pubic order and peace. On the continent of Europe they have ceased, at least in the Protestant churches. The theological professors in German, Swiss, and Dutch universities are not sworn to a creed or profession of faith; they are not responsible to an ecclesiastical tribunal, and they enjoy the widest latitude of investigation. But in this country, the theological seminaries are the creatures of churches; the teachers are appointed and supported by churches or by their representative boards, on the basis of a creed which they have to subscribe to.

It is a singular fact that theological and political freedom do not progress at equal pace. England, with greater political freedom, is more orthodox than the continent; Scotland is more orthodox than England; America is more orthodox than Europe; the West and the South are more orthodox than the East, in our country. The strictest Roman Catholics are not found in Italy and France, but in Ireland and in the United States. So the Episcopalians, the Presbyterians, and the Lutherans of this country are less liberal and progressive than their fellow-religionists in the Old World.

Heresy trials will, therefore, from time to time take place in those churches which hold and require subscription to a strict orthodox creed. They occur whenever a public teacher sets forth views which are inconsistent with such a creed and yet have sufficient vitality and power to command a respectable following and to disturb the peace of the denomination. They stir up all the bad blood of theological passions which are the deepest and strongest, and sometimes they result in division and schism. Heretics are no longer tortured, imprisoned, and roasted as in the Middle Ages; but they are deposed and expelled from their denominations if found guilty, with the liberty to join any other denomination willing to receive them, or to found a new sect of their own. But they are usually acquitted and restored, and in this case the result of a heresy trial is larger liberty and progress. This has been the experience of several heresy trials in the Presbyterian Church.

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Orthodoxy and heresy are relative terms. Orthodoxy is conformity to an established and recognized creed; heresy is a departure from it. The term "orthodoxy" does not occur in the New Testament; "heresy" is mentioned several times in King James's version, for a Greek word which means "division," "party," "sect." The revised version retains it in 1 Cor. xi. 19; Gal. v. 20; and 2 Peter ii. 1. After the union of Church and State in the days of Constantine the ruling church of the Roman Empire was the orthodox church, and every one who publicly opposed its teaching was regarded and treated as a heretic. At the present time Christendom is divided into many churches and creeds, and to them correspond as many types of orthodoxy. There is a Greek orthodoxy which conforms to the seven ecumenical councils and the catechism of Peter Mogilas. There is a Roman Catholic orthodoxy which must agree with the Tridentine and Vatican standards. There is a Lutheran orthodoxy measured by the Augsburg Confession, an Anglican orthodoxy which holds to the Thirty-nine Articles and the Common Prayer Book; a Presbyterian or Calvinistic orthodoxy which conforms to the Westminister Confession and Catechisms. What is orthodoxy in one church may be heresy in another. Thus the Greek church holds that the *Filioque*, the doctrines of the immaculate conception of the Virgin Mary, and of the infallibility of the Pope, are heretical innovations of the church of Rome. Protestants reject these and other dogmas of Romanism such as transubstantiation, the sacrifice of the Mass, the invocation of saints, purgatory, indulgences, as anti-Scriptural errors; while Rome condemns all the distinctive doctrines of Protestantism as heresies. The Lutherans regard Zwingli's doctrine of the Lord's Supper as heretical; the Calvinists of the synod of Dort condemned the Arminian tenets concerning predestination, the extent of atonement, irresistible grace, and perseverance of saints, as errors, which were adopted by the Wesleyan Methodists, as truths. Baptists reject infant baptism and every mode of baptism but by immersion.

In this condition of conflicting creeds, who is to decide? Where is the infallible tribunal? The Greeks say, the ecumenical councils; but these have only defined the dogmas of the Nicene and Chalcedonian creed, and have ceased since 787. The Roman Catholics say, the Pope of Rome; but the Pope of Rome was not declared infallible till 1870, and Pope Honorius III. was condemned as a heretic both by an ecumenical council and by several popes. Thus we have council contradicting council and popes contradicting popes. Evangelical

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Protestants say, the Bible; but the Bible is claimed by all churches and sects, and who is to decide between their various interpretations? The Rationalists say, the reason; but whose reason? Where there are six Rationalists there are seven reasons.

Here, then, comes in the whole question of the relationship between the Bible, the Church, and the Reason, and this is one of the most important questions raised by the Briggs trial. Of all the Protestant denominations in this country the Presbyterian is the most orthodox and has the most rigorous creed (the Westminster Confession), which carries the ponderous weight of the metaphysical and polemical theology of the seventeenth century. Hence she has had more heresy trials than any other church in America. Three of these trials have a historic interest beyond the limits of that denomination, and involve divines of national repute. We shall give a brief account of them, dwelling mostly on the last, which is still in progress.

Dr. Lyman Beecher, the father of the world-renowned family of that name, was in his day the greatest preacher in New England, and chief champion of Trinitarian orthodoxy against Unitarianism, but somewhat erratic and eccentric in his theological opinions. He was called from Boston as Professor of Theology to the newly founded Lane Seminary at Cincinnati in 1832. Dr. Stowe, his son-in-law, labored in the same institution. They imported New England notions and measures, which seemed to conflict with the Presbyterianism of the stricter Scottish type. Dr. Wilson, pastor of the First Church in Cincinnati, charged Dr. Beecher with holding and teaching Pelagian or Arminian views on free agency, total depravity, original sin, and regeneration, contrary to the Scriptures and the Westminster Confession of Faith which he had accepted at his installation.

The trial was held in 1835 and continued for several days with intense and unabated interest. It resulted in the complete vindication of Dr. Beecher by a nearly two-thirds vote of the Presbytery. Dr. Wilson appealed to the Synod and was again defeated. He appealed to the General Assembly, but asked and obtained leave to withdraw his appeal in obedience to the wishes of his friends and in view of the approaching trial of Dr. Barnes, which involved the same principles of sympathy with New England theology as taught by Dr. Taylor, of New Haven, and his intimate friend, Dr. Beecher.

Albert Barnes was one of the most learned, worthy, and popular preachers and authors in the United States, and his "Notes on the New Testament" had an enormous circulation (exceeding a million of

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copies) in America and in England, especially among Sunday-school teachers. He studied theology at Princeton, entered the ministry in 1825, and was called to the First Presbyterian church of Philadelphia in 1830 (where he died in 1870).

Dr. Green brought charges against him in Presbytery for heretical doctrines preached in a sermon on "The Way of Salvation." The case created a great deal of commotion, action, and counter-action. Dr. Jenkins, President of Lafayette College, at Easton, Pa. (the father-in-law of Stonewall Jackson), became the chief prosecutor of Mr. Barnes and tabled ten definite charges of errors selected from notes in his Commentary on the Epistle to the Romans. Chief among them was the denial of the legal imputation of Adam's sin and guilt to his posterity, and of the imputation of Christ's righteousness to believers. Barnes did not deny hereditary sin, but only hereditary guilt. So far he sided with Arminianism, as also in regard to the extent of the atonement. The Synod of Pennsylvania condemned the alleged errors and suspended Barnes from the exercise of the functions of the gospel ministry until he should recant and repent. He submitted, and sat for a whole year Sunday after Sunday under his own pulpit listening to the preaching of a stranger,—a rare instance of meekness and humility, which reminds one of Fénelon, who published the papal condemnation of his own book, the "Maxims of Saints."

Barnes, however, could appeal to a higher earthly tribunal, which Fénelon could not. That was the General Assembly which met at Pittsburg in 1836. This Assembly spent a whole week in hearing his case and sustained the appeal by a vote of 134 to 96, and by a still more decisive vote restored him to the active ministry.

But the agitation between Old and New School theology continued with increasing force and animosity, and ended in a division. The General Assembly of Philadelphia in 1837 abrogated the Plan of Union between the Presbyterians and the Congregationalists (dating from 1801) as "unnatural and unconstitutional," without consulting the other party. The same Assembly cut off four Synods, the Western Reserve, Utica, Geneva, and Genesee, from the Presbyterian Church in the United States, and dissolved the third Presbytery of Philadelphia to which Dr. Barnes belonged—all without a hearing and without a trial, by an act of intolerance worthy of the Westminster Assembly which, in connection with the Long Parliament, deprived two thousand Episcopal ministers of their livings for the sole crime of non-conformity.

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These exscinding acts split the church in two branches called the Old School and the New School, which held the same standards of doctrine and discipline, but differed in their interpretation, and were to all intents and purposes two different denominations. Dr. Beecher and Mr. Barnes survived the opposition and are numbered with the brightest luminaries in the horizon of American Christianity.

The schism in the Presbyterian church continued for more than thirty years, but was happily healed in 1870 on the basis of the Westminster standards pure and simple, leaving the question of interpretation and application open. This reunion was inspired by a truly Christian spirit of love and harmony and is one of the noblest events in American church history.

For twenty years the union continued unbroken, and a new generation arose which almost forgot that there was an Old School or a New School. Princeton and Union were on the best of terms, and united with other Presbyterian seminaries in the publication of a "Review," which for ten years discussed the leading theological questions and ecclesiastical events of the times under the joint editorship of professors of Princeton (Hodge, Patton, and Warfield), and a professor of Union (Briggs). The "Review," however, gave indications of a growing difference in theological sentiment concerning the inspiration and authority of the Bible and the attitude towards the results of "the higher criticism," so called, which deals with the Bible as literature and freely investigates the origin, value, and canonicity of the different books. The Beecher and the Barnes trials had to do only with purely American questions of theology; but since then American theology has been brought into close contact with the critical and historical researches of the theology of Europe, especially Germany, the great workshop of the Reformation and of modern Protestant learning.

In 1889 arose the revision movement which demanded important changes in the Westminster Confession, especially the elimination of the doctrine of preterition and the denunciation of the pope as "the antichrist" predicted by Paul, and of the papists as "idolaters." The movement spread with as much rapidity as the reunion movement had done twenty years before, and promises to result not only in a revision of the old confession but in the formation of a new, shorter, more scriptural, and popular creed, that shall express in an irenic, evangelical and catholic spirit, the living faith of the present age rather than the faith of the seventeenth century.

While the revision movement was going on, the peace of the church

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was disturbed by another heresy trial which surpasses even the Beecher and the Barnes trials in importance and general interest.

Dr. Charles A. Briggs, the hero of the latest heresy trial which has attracted the widest notice of the secular as well as of the religious press of America, was born in the city of New York, January 15, 1841, and is consequently in the prime of manhood and usefulness. He studied in the University of Virginia (1859–60), and in the Union Theological Seminary at New York (1861–63) under Robinson, Henry B. Smith, and Hitchcock. He finished his theological education at Berlin, mainly under Rödiger and Dorner (1866–69), and familiarized himself with the latest phases and tendencies of German theology. After a short pastorate at Roselle, N. J. (1870–74), he was appointed tutor and soon afterwards Professor of Hebrew and Oriental Languages in the Union Theological Seminary (1874), and has been connected with it for the last seventeen years. He received the degree of D.D. from the University of Edinburgh at its tercentenary in 1883, which he attended as a delegate of the Union Seminary. In the autumn of 1890 he was transferred to the Edward Robinson chair of Biblical Theology (in the modern German sense of that term, as distinct from Ecclesiastical and Systematic Theology). He had been teaching this branch since 1883 when Dr. Schaff gave up the remainder of his lectures on the Old Testament (Critical Introduction and Old Testament Theology); but as the chair was only recently endowed, as a distinct professorship, by the liberality of the venerable Dr. Charles Butler, the president of the Board of Directors, in honor his friend, the distinguished Biblical scholar and explorer, Dr. Edward Robinson, it was deemed proper and due to the founder to have a formal induction by the usual solemnity of an inauguration.

Dr. Briggs accordingly, at the request of Dr. Butler, delivered an inaugural address on "The Authority of Holy Scripture," January 20, 1891.* This address was the occasion of the heresy trial. It contained little or nothing but what Dr. Briggs had previously taught and published in his books on "Biblical Study," "Messianic Prophecy," and "Whither?" as well as in several articles in the late "Presbyteran Review." Nor is there anything in the inaugural which would disqualify him for a theological professorship in any university of Europe. On the contrary, in Germany Dr. Briggs would be classed

* A third edition has just been published, December, 1891, by Charles Scribner's Sons, New York, which contains also notes and explanations, the charges of heresy, and the response thereto before the Presbytery of New York; 160 pages.

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with the conservative and orthodox rather than with radicals and rationalists. He is, in fact, a Calvinist in everything except the questions of higher criticism, where he adopts the opinions of the school of Ewald and Wellhausen, though not without some modifications, and with a distinct disavowal of rationalism. He goes no further than Delitzsch in his last concessions. But he stated his views on the authority and inspiration of the Scriptures and the higher criticism in such a defiant and exasperating tone against what he called "bibliolatry," that the inaugural address sounded like a manifesto of war and aroused at once a most determined opposition on the part of the conservative and orthodox press. Even some of his best friends deemed it unwise and uncalled for. It is this aggressive style and manner which brought on the fight. The inaugural created a sort of panic, as if the Bible were in danger and the way opened for the teaching of downright rationalism in a leading institution of the Presbyterian Church.

It was under the influence of this panic that more than seventy Presbyteries overtured the General Assembly held at Detroit in May, 1891, to veto his appointment or transfer to the new chair.

The Union Theological Seminary, founded in 1836, was originally independent, while the Princeton Seminary was in the power of the General Assembly which elected both the professors and the directors. But under the influence of the reunion enthusiasm in 1870, the Union Seminary voluntarily surrendered a part of its independence, and secured to Princeton a much desired measure of freedom by giving to the General Assembly the veto power on the appointment of new professors; not meaning, however, that the veto should cover mere transfers of a professor, already a member of the Faculty, from one department of teaching to another. Such transfers occur frequently (I know of three in my own case), sometimes in the middle of a term, in consequence of sickness or of death, and belong to the internal administration of an institution whose directors and faculty are better able to judge than a General Assembly composed of delegates from all parts of the country and changing every year. The directors of the Seminary, at a meeting held shortly before the meeting of the General Assembly, recorded their views on this subject.

The Assembly, ignoring this difference, ignoring also the published statement of the faculty of the Seminary, and the categorical orthodox answers of Dr. Briggs to specific questions of the directors, exercised the veto power with an overwhelming majority of seven to one,

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and virtually deposed Dr. Briggs without giving him a hearing and without even assigning a reason. At the same time the Assembly appointed a committee of conference with the directors of the Seminary; as if, after all, the Assembly might have erred in its action in the case. The proper order undoubtedly would have been to confer with the directors first, and to act afterwards on the result of the conference. This might have led to a peaceful settlement. This was the course proposed by Dr. Worcester, of Chicago (since called to the chair of Systematic Theology in the Union Seminary), and advocated with such sound arguments that, in the opinion of some, it would have been adopted if the vote had been taken at once. The specious plea of the advocates of immediate action was "now or never." It is the same plea which induced the General Assembly of 1837 to take advantage of an accidental majority in favor of the exscinding act. In a representative body, like the Assembly, the majority changes with the constituency.

It is but just to add that the action of the Assembly, whether right or wrong, was taken under the sincere conviction of actual danger of unsound doctrine, and without any personal ill-feeling against Dr. Briggs, whose learning and piety were freely acknowledged by his most decided opponents. In this respect the Assembly differs very favorably from former Assemblies in similar cases. Christian courtesy and good manners have evidently made progress and have moderated the *odium theologicum* and the *rabies theologicum*, from which the great and good Melancthon prayed to be delivered.

It so happened that a Princeton Professor of Theology, the learned and venerable Dr. Green, was Moderator of the Detroit Assembly, and that the president of Princeton University, the Rev. Dr. Patton, was chairman of the committee on Theological Seminaries, which proposed the exercise of the veto power and is immediately responsible for the whole action.

Under these circumstances the affair unfortunately assumed the aspect of a conflict between Princeton and Union, the two leading institutions of the American Presbyterian Church, which have heretofore labored on different lines within respectful distance, yet on cordial terms of friendship and co-operation in the service of the same church.

The directors of the Union Seminary, insisting upon their distinction between a new appointment and a transfer, and being satisfied with the general soundness as well as the scholarship and teaching ability of Dr. Briggs, who was known to them from seventeen years'

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experience, disregarded the veto of the Assembly and adhered to their former action. The Assembly had, wisely or unwisely, acted on its own interpretation of the agreement of 1870, and the directors felt that they had the same right to act on their interpretation of the agreement which they themselves had proposed.

A meeting of the Assembly's Committee of Conference with the Directors of the Seminary was held last November, and another one will be held next January. Time will show whether they will come to an agreement or compromise of the delicate question which involves the further relation of all the Presbyterian seminaries to the General Assembly.

Before the meeting of the Assembly at Detroit the Presbytery of New York, the largest in the country, had taken Dr. Briggs in hand under the influence of the panic created by his inaugural, and resolved, April 13, 1891, to try him for heresy as a member of that Presbytery. A committee of prosecution was appointed consisting of three clergymen and two laymen.* This committee reported to the Presbytery on October 5, 1891, and charged Dr. Briggs with teaching and publishing in said inaugural address "hurtful errors which strike at the vitals of religion and conflict irreconcilably with and are contrary to the cardinal doctrines taught in the Holy Scriptures and contained in the Standards of the Presbyterian Church." Two distinct charges were brought against him: one that he denied the fundamental doctrine of the infallibility and the sufficiency of the Scriptures as the only rule of faith and practice; and the other, that he taught progressive sanctification after death.

The first and principal charge was formulated under several specifications as follows. Dr. Briggs is charged with teaching:

1. That "there are historically three great functions of divine authority—the Bible, the Church, and the Reason;" thus making the Church and the Reason each to be an independent and sufficient fountain of divine authority. (The last clause is an inference of the committee not justified by the address, and expressly denied by Dr. Briggs.)

2. That some (like Cardinal Newman) may obtain the saving knowledge through the Church.

3. That others (like James Martineau) may find the knowledge of God through the Reason.

4. That the temperaments and environments of men determine which of the three ways of success to God they may pursue.

*The Rev. Drs. Birch, Lampe, and Sample, and Elders John J. Stevenson and John J. McCook.

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5. That he "makes statements in regard to the Holy Scriptures which cannot be reconciled with the doctrine of the true and full inspiration of those Scriptures as the 'word of God written.'"

6. That he "asserts that Moses is not the author of the Pentateuch, and that Isaiah is not the author of half of the book which bears his name."

7. That he "teaches that predictive prophecy has been reversed by history and that much of it has not and never can be fulfilled."

The second charge is that Dr. Briggs teaches "a doctrine of the character, state, and sanctification of believers after death, which irreconcilably conflicts with and is contrary to the Holy Scriptures and the Standards of the Presbyterian Church."

These charges and specifications were sustained by quotations from Dr. Briggs's inaugural address and controverted by a mass of Bible passages (mostly irrelevant, and all from King James's version, even where it is decidedly wrong) and by whole sections of the Westminster Confession of Faith, including the twice repeated list of all the canonical books of the Old and the New Testaments. The report covers forty-five pages in print, and is one of the curiosities of American theological literature.

Dr. Briggs responded to these charges before a special meeting of the New York Presbytery on November 4, 1891, in a masterly legal and logical argument and, at the same time, in a tone of moderation which charmed his friends and disarmed his enemies. There is not an offensive nor discourteous word in the whole paper; he spoke *fortiter in re, suaviter in modo.* He made a manly and Christian confession of deep regret if he "had in any way, directly or indirectly, been the occasion of disturbing the peace of the Church," or if he "had given pain and anxiety to his brethren in the ministry, or to the people of Christ's church, by any utterances in the inaugural address." This tone and confession more even than the ability of the defence made converts, and accounts for the result which was a virtual vindication by a majority nearly of two-thirds (94 to 31). The resolution of the Presbytery is as follows:

"*Resolved*, That the Presbytery of New York, having listened to the paper of the Rev. Charles A. Briggs, D.D., in the case of the Presbyterian Church in the United States of America against him, as to the sufficiency of the charges and specifications in form and legal effect, and without approving of the positions stated in his inaugural address, at the same time desiring earnestly the peace and quiet of the Church, and in view of the declarations made by Dr. Briggs touching his loyalty to the Holy Scriptures and the Westminster Standards, and

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of his disclaimers of interpretations put on some of his words, deems it best to dismiss the case, and hereby does so dismiss it."

The Presbytery did not indorse the views of Dr. Briggs, but accepted his explanation and declaration of loyalty to the Holy Scriptures as sufficient to justify a dismissal of the trial. This is all that he and his friends could reasonably expect and desire. We would like to hope that this agitation might stop here, and that peace and good will between brethren be restored.

But the controversy is not yet closed. The committee of prosecution, which claims to be an independent party, has appealed from the decision of the New York Presbytery to the General Assembly which will meet next May, and may either try the case or dismiss it or send it back to the Presbytery for a new trial. We must wait the issue. In the mean time, Dr. Briggs, Dr. Brown, and Dr. Vincent are delivering lectures on the points of this Bible controversy before crowded audiences in the Church of the Convenant, in New York.

The response of Dr. Briggs is, technically, only an objection to the sufficiency of the charges and specifications "in form and in legal effect," as required by the Presbyterian Book of Discipline; but, indirectly, it is an explanation and defence of his inaugural address and is sufficient to free him from the charge of heresy.

1. Dr. Briggs reasserts his doctrine of the three sources of divine authority — Scripture, Church, and Reason; but denies that he meant to co-ordinate them, as charged. He always taught and still teaches the cardinal Protestant doctrine that the Bible is the only infallible rule of faith and practice. "The Reason," he says, "is a great fountain of divine authority, and yet not an infallible rule of faith and practice. The Church is a great fountain of divine authority, and yet not an infallible rule of faith and practice. The Bible is a great fountain of divine authority, and is the only infallible rule and practice."

The Bible is the shibboleth of Protestants, but is much higher than Protestantism; Church is the shibboleth of Romanists, but it is much higher than Romanism; the Reason is the shibboleth of Rationalists, but it is much higher than Rationalism; The Bible, the Church, and the Reason are one in God, the one supreme Source of all truth and authority.

2. As to questions raised by the higher criticism concerning the authenticity and canonicity of the several books of Scripture, they are extra-confessional and of modern date. They did not exist for the

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Westminster Assembly which framed the Confession. They are perfectly legitimate and unavoidable in the theological class-room, and must be decided by the slow process of Christian scholarship. Dr. Briggs accepts—perhaps too hastily—the views of the liberal wing of the German critics concerning the post-Mosaic authorship of the Pentateuch, the post-Isaian origin of more than one-half of the prophecies under the name of Isaiah; but he nevertheless believes in the inspiration and authority of these portions of the Old Testament as fully as if they had been written by Moses and Isaiah. The authority of Scripture depends upon God and their intrinsic value, not upon man and the authority of the church. Several portions of the Bible —as the Book of Job, the "Orphan Psalms" so-called, and the Epistle to the Hebrews—are anonymous, and no scholar has been able or ever will be able to settle the question of their human authorship, but they are as much inspired and canonical as any other book.

3. As regards sanctification after death, Dr. Briggs denies that he holds the Roman doctrine of purgatory, or the Andover hypothesis of a future (falsely called a second) probation. He simply teaches the *progressive* sanctification of believers, as distinct from *immediate* and *absolute* sanctification, after death; that is, he holds that believers enter the middle state guiltless and sinless, yet not so perfect as to leave no room for continued growth in knowledge and every grace. Surely there can be no reasonable objection to such a view. It may not be quite consistent with the teaching of the Westminster standards, but the far more important question is whether it is scriptural and true. Modern scholars are agreed that the eschatology of the Protestant Reformers and Protestant Confessions is undeveloped, negative rather than positive, and stands in need of improvement. They denied the papal doctrine of purgatory, but they gave us nothing better in the place. They ignored the middle state between death and resurrection, and identified the state immediately after death with the final state after the resurrection.

This defect has affected even the Protestant versions of the Bible which confound the Greek and Hebrew terms for the middle state, or the spirit world, the region of the departed (Hades and Sheol), with hell or the state of torment (Gehenna). Hence the awful word "hell" occurs twice as often in the authorized version of the English Bible as in the Greek and Hebrew original. The revised version has corrected this mischievous error.

The authority of the Protestant Confessions of Faith is limited by

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the cardinal Protestant doctrine of the supreme authority of the Bible. They are not *norma normans*, but *norma normata*. They are not rules of faith, but rules of public teaching. They are not infallible, and may be corrected and improved by better statements of divine truth, which must ever be the first and last aim of a theologian. *Amicus Augustinus, amicus Calvinus, sed magis amica veritas.*

The Presbyterian Church is just now engaged in a revision of the Westminster Confession and will undoubtedly eliminate from it certain obsolete and obnoxious features, as divine foreordination of sin and death, the limitation of the atonement to the elect, and the anti-popery clauses, and will put in a distinct declaration of the general love of God to all mankind and the sincere offer of salvation to every creature made in his image. This will be a serious modification of high Calvinism, though not of the Reformed system in the wider historical sense. The church has a perfect right to make such changes in obedience to the advance in liberal scholarship. She changed the Confession even more radically a hundred years ago in all those articles which assumed the union of Church and State and made it the duty of the civil government to protect orthodoxy and to punish heresy.

This is not an opportune time to stop the legitimate progress of theological investigation and science. Surely, the great Presbyterian Church of the United States should have room and to spare for such scholars as Dr. Briggs. She is orthodox and conservative enough, and can afford to be tolerant and liberal without running any risk. She has too much intelligence, good sense, and solid piety to be thrown off her balance. Christian scholars who combine faith with learning and critical ability are rare and now more needed than ever, to disentangle the Scriptures from traditional embarrassments such as the theory of a literal inspiration or dictation, and the absolute inerrancy of the original autographs which nobody has ever seen or will see—for they are irretrievably lost. These are human fictions contradicted by undoubted facts, and make it impossible to defend the Bible against the objections of critics, historians, and scientists. The Bible is independent of all human theories of inspiration and stands upon the impregnable rock of truth. It is not a manual of geology, or biology, or astronomy, or chronology, or history, or science. Even the Pope of Rome does not claim infallibility in any of these departments. The Bible is a book of religion, a rule of faith and duty, no more, no less; and as such it can and will maintain its authority and power to the end of time.

PHILIP SCHAFF.

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THEOLOGICAL EDUCATION AND ITS NEEDS.

THEOLOGICAL education has passed through several stages of development since the Reformation. In the early Church the most distinguished theologians were trained in the Greek universities. The Christian catechetical school at Alexandria was established at the close of the second century, the most famous heads of which were Clement and Origen. The school of Antioch was founded at the close of the third century, eminent members of which were Chrysostom, Theodore of Mopsuestia, and Nestorius. The school at Edessa was founded by Ephræm, and it became a fountain of blessing to the Syrian Church. In Western Europe from the earliest times, theological education was given in diocesan schools and then subsequently in monasteries during the greater part of the Middle Ages until the establishment of the great universities, when the theological faculty became the leading faculty in them.

I. THEOLOGICAL EDUCATION SINCE THE REFORMATION.

The Reformation was led by scholars trained in the universities. The chief reformers became professors in the universities which passed from the control of the Church under the control of the State. Theological education in Europe has been chiefly conducted through the theological faculties of the universities until the present time. There have been diocesan schools and provincial seminaries of various kinds, but these have been supplementary to the universities and designed chiefly for the training for the ministry of those who for various reasons were unable to pursue the course of theology at the universities or in the interest of parties in the churches. In all the national churches of Protestant Europe the normal theological education is carried on at the universities.

When the non-conformists were excluded from the universities of Oxford and Cambridge, they were obliged to establish training-schools of their own. They followed the model of the national universities and gave the entire range of instruction so far as they were able,

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academic, collegiate, and professional, in one institution. This has continued to be their method until the present time. Mansfield College when it removed from Birmingham to Oxford threw off all the preparatory studies and transformed itself into a strictly professional school; but it entered at the same time into such friendly relations with the university of Oxford, that it gained many of the advantages of a theological faculty, independent of, but working in harmony with, the other faculties of a great national university.

The early American ministers were trained at the British universities, chiefly at Cambridge and Glasgow. When our colleges were established, they followed British models and gave theological education as well as classical education. Harvard, Yale, and Princeton had their theological professors and their Hebrew professors, and theological education was included in their curricula.

Theological seminaries as such belong to the present century, and they have had their chief development in America, in connection with zeal for denominationalism and the desire to perpetuate the tenets of certain parties in the churches. It is significant from this point of view that the first theological schools established in America were the result of religious controversy. In 1782 the Associate Presbyteries and the Reformed Presbyteries united in the Associate Reformed Synod. But there was a considerable number who refused the union. Some of these constituted the Associate Synod and organized a theological school at Beaver, Pa., in 1794. The Associate Reformed Synod founded a theological seminary in New York in 1804.

The two great parties into which New England Congregationalism was divided, the so-called consistent Calvinists and the moderate Calvinists, each had in mind the establishment of a theological school. The theological instruction at Harvard under Dr. Henry Ware was Unitarian and this urged the orthodox to establish orthodox schools as soon as possible. Happily the two parties united in the Andover creed of 1808 and both were satisfactorily represented in the faculty.

The efforts for union of kindred denominations at the close of the eighteenth century having failed, denominationalism entered upon an ambitious career and each ecclesiastical party sought a rallying point in a theological seminary. The Dutch Reformed Church established their seminary at New Brunswick, N. J., in 1810, under John H. Livingston; the General Assembly of the Presbyterian Church founded their seminary at Princeton in 1812, under Archibald Alexander; the General Convention of the Protestant Episcopal Church estab-

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lished their seminary in New York in 1817; the Baptists planted a seminary at Hamilton, N. Y., in 1819; the German Reformed seminary was organized in 1825; the Lutheran at Gettysburg, Pa., in 1826; the Methodists did not organize a theological school until 1847. On the basis of these institutions, a large number of denominational theological seminaries have grown up from time to time in the progress of religion in America. These theological schools have been entirely professional in their character, standing apart from the colleges and the universities and having an independent life and development. They have become denominational centres and the rallying points of parties in the denominations. The colleges and the universities have for the most part given over theology to the theological schools and have unfolded their courses of study without regard to the science of theology. So far have they gone in this direction that many colleges train students away from the ministry instead of preparing them for the theological seminary.

Harvard and Yale, the earliest of the American institutions of learning, were caught in the sweep of the new movement. But happily they did not discard theology, but organized it into separate faculties, Harvard in 1815, and Yale in 1822, giving it independent life and development; so that, while the colleges were frequented by students of all denominations, the Harvard theological school became known as Unitarian and the Yale theological school as Congregational. It is quite evident, however, that both have been so influenced by the universities to which they have been attached that they have not been so denominational as the theological seminaries that stood alone by themselves, under the direct influence of the denominations. Thus the Harvard theological school, which is unjustly put under the ban as Unitarian, has in its faculty a Baptist and a Congregationalist. And the Yale divinity school has ever been renowned for its breadth and catholicity.

In recent times there has been a reaction against the isolation of theological seminaries as merely professional schools. The Methodists with their great practical sense have never taken kindly to them. The wonderful progress of Methodism was made without any theological seminaries whatever. But few Methodist ministers receive their theological training in them at the present time. Their Concord Biblical Institute was removed to Boston, to become a part of the Boston University, and their Garret Biblical Institute was adopted as the theological department of the North-Western University. The new Chicago

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University is designed to grow up about the Baptist theological seminary at Morgan Park. Some may object that these theological schools of the Methodists and the Baptists are parts of denominational universities and therefore dominated by strictly sectarian interests. But even if this be so, the university connection overcomes in a measure the evils of theological isolation.

We shall now call attention to the same general movement in connection with theological schools of denominations differing from those which are regarded as controlling the college or university with which they are affiliated.

At Cambridge, Mass., there is an Episcopal theological school, founded in 1867, which is not in organic connection with Harvard University, but which is in such friendly relations that the faculty and students have many of the advantages of the great university. It has also been proposed to remove Andover Seminary to Cambridge, in order to share in these advantages. Many think that this would be a wise step, even if half the endowments were forfeited. The Episcopal Divinity School in Philadelphia is in friendly relations with the University of Pennsylvania.

The Union Theological Seminary in New York was founded under interesting circumstances, two years before the great disruption of the Presbyterian Church in the United States. The design of the founders was thus explained:

> "It is the design of the founders to provide a theological seminary in the midst of the greatest and most growing community in America, around which all men of moderate views and feelings, who desire to live free from party strife, and to stand aloof from all extremes of doctrinal speculation, practical radicalism, and ecclesiastical domination, may cordially and affectionately rally."

It received the name of Union Theological Seminary, and in its history it has ever been true to that ideal. Its directors and faculty were the leaders in the reunion of the Presbyterian Church. They are at the present time leading the way in the direction of a larger reunion of Christendom, and are in sympathy with all that is large and broad and solid in Christian theology and Christian life. Union Seminary has recently entered into relations of courtesy with Columbia College and with the University of New York. These relations are thus expressed in the annual catalogue:

> "These university courses by the courtesy of the institutions offering them, are open to such students of the Seminary as are recommended by the Faculty. Recommendations will be given only to students of superior scholarship, and

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only on the condition that these special university courses shall not interfere with the regular work appointed by the Seminary.

"By terms of agreement between the Seminary and the University of the City of New York, the University 'will admit without fee to special lectures in the Graduate Division, and also, with the consent of the Professor occupying the chair concerned, to other lectures in the Department of Arts and Sciences, students of the Seminary recommended by the Faculty of the Seminary.'

"According to an agreement with Columbia College, permission is granted to students duly recommended, 'in such number as may be approved by the President of the College, to attend the lectures delivered in the School of Political Science on Political Economy and Sociology, and the lectures in the School of Arts, on the Semitic Languages, Philosophy and Ethics, without the payment of fees.'"

The same terms were offered at the same time to the General Theological Seminary of the Protestant Episcopal Church. These are doubtless the beginnings of a more extended movement.

We have thus traced three stages of development in theological education in America: (1) as a part of the college, (2) as an independent professional school, (3) as an independent school in friendly alliance with the university.

II. Advantages and Disadvantages of Theological Seminaries.

We are now prepared to consider some of the advantages and disadvantages that have sprung out of theological seminaries.

1. *The Isolation of Theology.*—Great advantages have arisen from the organization of theological seminaries as separate institutions. Theological education has made rapid strides forward. In the olden time two professors in the colleges, the Theological professor and the Hebrew professor, were deemed sufficient for theological instruction. In the seminaries it has so increased as to make a full course of three years and a supplementary course for graduates who are able to pursue it. The chairs of instruction have increased so as to represent the four great divisions of Theology, Exegetical, Historical, Systematic, and Practical; and Exegetical theology has been divided between the Old-Testament Professor and the New-Testament Professor. The older Dogmatic professor has been put between the professor of Biblical Theology and the professor of Apologetics; and Polemic Theology has in the best institutions yielded the field to Christian Symbolics. A study of the catalogues shows the improvements that have been made, especially in recent years.

The course in theology is still very defective in the great majority

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of the theological schools, and is still far from perfection even in those most richly endowed and manned; but no one can deny real and great progress. There are few seminaries which give instruction in Theological Encyclopædia, that general survey of the field of theology which is important to introduce the student into his studies and give him a general idea of the work before him. There are few which teach Symbolics, that important theological discipline which compares the official confessions, creeds, and catechisms in order to determine the faith of the several denominations and accurately state their concord and discord; a work which is of incalculable importance in the advance towards Christian unity. There are few which teach Biblical Theology, that science which gives the theology of the Bible itself in its historic formation, as distinguished from the theology of the creeds and the theology of the theologians. There are few which teach the history of dogma and show the gradual evolution of Christian doctrine under the guidance of the divine Spirit through the Christian centuries. There are few which teach Religious Philosophy and Comparative Religion, sciences of great importance in order to show the origin and development of religion in man, and the history of religions in our world; for upon the right understanding of the essential principles of religion and of that which the great religions have in common, depends our appreciation of the distinctive principles of Christianity, and a clear insight into the real missionary work of the Church. There are few which teach Christian Ethics, the science of holy conduct, for they have been content with a college education, usually very defective, in so-called Moral Philosophy. There are few which teach in any comprehensive and scientific manner the evolution of Christian Institutions, or pay proper attention to Christian Art, Christian Architecture, Christian Song, and Christian Liturgy. There are few which give any sufficient attention to the English Bible and the practical exposition of Holy Scripture to the Christian people. These and many other things demand more attention in our theological schools.

The backbone of theological training is still Hebrew Exegesis, Greek Exegesis, Church History, Systematic Theology, Pastoral Theology and Homiletics, and these too often with limited range and in crude, mechanical, and unfruitful methods. The scientific method is beginning to revolutionize theological education; but this movement is only in its beginnings. It can make progress only through great and bitter theological conflict, owing to the opposition of conserva-

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tives to any and every improvement in methods and scope of instruction, and also on account of the few teachers who are properly qualified for the work.

It will be evident to any one who has carefully considered the subject and who aims to improve theological education in our country, that that improvement can come only by single-hearted devotion to theology as a science, as an important section of universal knowledge; in other words, as a part of the university course. Theology has shut herself off from her sister sciences in America during the present century, and has paid the penalty in well-merited neglect by the learned men of other departments of knowledge. Theology is the queen of the sciences, but she can reign only in the university. She dethrones herself when she retires by herself into the theological school. Theology in Europe is far ahead of theology in America, because it is in the full stream of university life, whereas in America, isolated in theological halls, under the domination for the most part of the conservatives in the denominations, it has lagged behind in the development of other branches of human learning.

2. *The Ministry's Need of Better University Education.*—Theological training in theological seminaries has had the advantage of giving the ministry as a class a higher professional education than they could have had in the colleges, because theological students were gathered apart by themselves to devote themselves to a professional career; but this has had the disadvantage of training them away from their college-mates in other professions, and has alienated them from the progress made in the other departments of learning. If one compares the theological education given at Oxford and Cambridge with the education given in the theological halls of the Free Church of Scotland in Edinburgh and Glasgow, he will be astonished at the immense advance of the purely professional school over the universities in the department of theology; and yet it cannot be said that these theological halls have been more fruitful in great preachers and theological writers than the English universities. It should be stated, however, that only a small portion of the clergy of the Church of England are educated at the universities, while almost all the ministers of the Free Churches of Scotland are trained in theological halls. The reason of it has often come before our mind, in conversation with representatives of these institutions. The strength of the English clergyman who has been trained in the university is that he is in fellowship with the men of learning of his university. He is in sympathy with the

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entire range of human culture. The other professions are interested in theology and the clergyman is interested in the other professions. They develop in harmony and in mutual sympathy and help. This is in a measure true of the minister of the Church of Scotland who is trained in the national universities, as compared with the minister of the Free Church trained in the theological hall. The theological training in the free colleges is much more extensive and thorough, and yet we do not find the difference in the ministry that one might expect under the circumstances. There is such great advantage in the university connection that it counterbalances the advantage of the improved curriculum and greater force of teachers in the theological schools. If there is any way in which we may combine the advantages of an independent theological school with the advantages of a university connection, we shall enter upon a new era of theological education.

Into this new era, it seems, we are now entering by the connections established between theological seminaries and universities in Boston and Philadelphia, New York and Chicago, as well as in the old universities of Harvard and Yale; and in the friendly relations between Mansfield College and the Manchester New College and the University of Oxford. The educational movement now in progress in Scotland will also doubtless result in giving the theological halls of the Free Church and the United Presbyterian Church university advantages. These university connections enable the students of theology now in the seminaries to keep in touch with all the professions and to move with the general currents of human thought. We may hope from this friendly intercourse that the hostility between science and religion, philosophy and theology, may pass away, and that theology itself may expand with the appropriation of fresh material from all departments of human investigation.

3. *The Laymen's Need of Theological Education.*—There is a certain advantage in the separation of candidates for the ministry and their isolation from men of other callings in life. It makes a homogeneous body of men who have consecrated themselves to the service of Christ in the work of the Christian ministry. There is more unity and enthusiasm in work among them which comes from specialization. But there is a very serious disadvantage also in excluding from theological training men of other callings in life. It is a very remarkable evolution in American religious life that while the layman has been raised to an equality with the minister in the government of the church, lay-

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men have been excluded from theological training in our seminaries, and deprived of the opportunity of securing the education that they need to really make them equal with their ministers. In the previous centuries they could study theology in the colleges and universities alongside of the ministry. So now in the universities of Europe they may freely study theology. But in our theological seminaries it has been a common rule that all but candidates for the ministry should be rigidly excluded. Thus we have gained the position where the ministry are highly trained in theology, but the elders, vestrymen, deacons, and other leaders in the practical work of the Church are without training in theology. It is not strange under such circumstances that many of the ministry should feel that they are trained far above the understanding of the people, and that it should be so difficult for the theological student when he goes forth from the theological school to bring his mind into sympathy with the people.

Theological education should be free, open to any man or woman who has sufficient elementary training to pursue these studies. The Church at the present time needs laymen who are trained in theology. It is not necessary that these should undergo the entire course of training that ministers undergo, but it should be open to those properly qualified, so that they may pursue those studies that seem to them important for their work in life. The new departure of Union Theological Seminary in New York, in opening its studies to graduate students of Columbia College and the University of New York, makes it possible for lawyers, physicians, and teachers and others who desire theological training to secure it in an institution already established where there are many courses of study suitable for the purpose. It will be the inevitable result of this policy that new courses will be established which will be appropriate for students of this class. Doubtless those other theological seminaries which have university connection, will ere long open their courses of instruction in a similar way, if they have not already done so. And thus once more theology will enter into the circle of the sciences and take her proper place—giving and receiving unspeakable benefits.

The professions are more interwoven than they used to be. There are important points of contact between ecclesiastical and civil law which both lawyer and minister should know. There are important connections between medicine and theology which physician and pastor should understand, in order to harmonious action in those cases where disease of body and disease of soul are blended. By the co-

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operation of the faculties of instruction through the medium of a great university, all this instruction can be given with economy and with propriety, and the professions will be improved by mutual acquaintance. Theology has much to learn from law and medicine and she has favors to bestow in return.

III. Theological Education and the Public.

Theological education has also an important relation to the public. All education should aim at the public welfare. Much more should theological education keep in mind the religious needs of the people. It is evident that the Church needs for its work something more than an educated ministry. It needs ministers trained to the highest degree of excellence. But it also needs men who have no more theological training than is necessary to enable them to work efficiently in very humble spheres.

1. *Education of Lay Evangelists.*—The history of the Methodist Episcopal Church, the experience of the Cumberland Presbyterian Church, and the practice of the Salvation Army show that there must be a theological education of an army of men and women far beyond the capacity of all of our theological schools as they are now constituted. The Presbyterian and Congregational Churches forfeited the supremacy of America by insisting upon a highly educated ministry and by neglecting to train men of lower grades for Christian service. These churches committed no error when they insisted upon a learned ministry, but they did commit a grave error when they neglected to provide an additional ministry for the people, of men less highly trained. The Methodist and Cumberland Presbyterians did noble service and reaped well-earned rewards, when they sent forth evangelists with quite moderate training into the vineyard to do the work no others could do.

The demands for Christian preachers and teachers, at the present time, are vastly in excess of any other period of the world's history. The evangelization of our cities, of our outlying populations, and of the heathen world is the greatest religious problem of our time. We need an enormous army of evangelists for this task. It is impossible to train them all in the theological courses of our seminaries. We must either have new institutions established for the purpose, or our theological seminaries should have sufficient elasticity to adapt themselves to the work. No one can be more earnest than we are to climb to the highest reaches of Christian theology and to expand the

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theological course and lengthen it and perfect it in every way for those who are able to pursue it. But at the same time, we think that the theological seminary owes a duty to the public; that it should do a work for the lowest as well as the highest; and that it may rise all the better to the loftiest aims, if it is open-minded and large-hearted enough to consider the needs of the Christian people. It is better to do all this work through one great theological institution than to undertake to establish several institutions with special ends in view. A theological seminary in New York properly equipped, might train all the Christian workers that are needed for our churches, laymen as well as ministers. An increase of teachers and endowments would be needed, but this would be more economical and fruitful than the erection of feeble supplementary institutions.

The theological seminary should follow the example of our best colleges and grow in all directions, expanding and reaching upward, and at the same time striking its roots downwards as a true tree of life, to feed the people of God.

2. *The Work of Theology in University Extension.*—The universities have learned that they owe a duty to the whole community. When the American colleges and universities failed to understand the signs of the times, the Chautauqua movement showed by its rapid progress and its enormous expansion that the people demanded some at least of the education that the colleges had been retaining for certain classes in the community. The English universities have seen the importance of the movement and have organized university-extension courses with beneficial results. Some of our American colleges have combined in a similar movement. The theological seminaries have a duty in the same direction. Theology is for the people as well as for the ministry. There has been no time since the seventeeth century in which the people are so much interested in theological problems as at the present time. Our theological seminaries, especially those situated in the great cities, should arrange courses of lectures and training classes for the public instruction of men and women in theology. The theological seminaries may vastly increase their usefulness by entering into this field. Doubtless an increased number of teachers would be required, but it would be more economical and more fruitful in good results, to furnish them for the institutions already established and to use with them the teachers and the buildings, and the apparatus already in existence. It may have a wholesome effect upon professors and students if they should thereby be brought into closer

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contact with the Christian public. Any tendency to undue speculation and theorizing would be overcome by the demands of the people for plain and practical instruction.

3. *Practical Training in Christian Work.*—One of the most wholesome effects of the establishment of theological seminaries in great cities is the combination of practical with theoretical training. Theological students are thereby brought into connection with the practical work in missions and charities and religious work of all kinds. They see the best methods, they engage in the most efficient enterprises, they hear the ablest preachers and lecturers, and become familiar with the entire practical work of the Church. They learn about men of every kindred and tongue and country. Their mind and their sympathies are enlarged. The religious work of a great city is to the theological student what hospitals are to the medical student, and the courts of justice are to the law student. It is true there is peril here that the practical work with its pressing claims may withdraw attention from the theoretical training. But the peril has to be confronted by the minister, and the sooner he faces the difficulty under the advice of competent instructors and overcomes it, the better for him. It is one of the most important lessons in life he has to learn, to so marry precept and practice that divorce will forever after become impossible.

It will be evident to those who have followed the exposition that has been given of the history of theological education, the advantages and the disadvantages of the past methods and the suggestions that have been made as to new methods, that theological education is very far from its ideal. Much needs to be done in order that theology may take its proper position in the university, may do its duty in the training of evangelists, and may give the Christian people that theological education which they need. But if the Christian public will unite with Christian scholars and undertake the task, many things that seem difficult and even impossible now will be accomplished without strain and with the most excellent results.

C. A. Briggs.

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PENSIONS: TIME TO CALL A HALT.

THE pension question is attracting great attention throughout the country, and the veterans of the war are taking an active part in the discussion of it. Their views differ widely. On last Decoration Day, a gentleman who was an officer of volunteers during the war and is now a civil officer of the State of New York, in a public address declared that the Government had been so mean and penurious in its treatment of its defenders, that he could see no remedy except by the formation of a Soldiers' Party which should demand justice for the veterans. On the other hand, soldiers in some parts of the country have organized societies to oppose the further increase of the pension roll, and to protest against representations made to the effect that the veterans are clamorous for more pensions. They declare that such statements are libels on a class of patriotic men and are calculated to rob them of the good name to which they are entitled, and to deprive them of the high place as brave and patriotic men which would otherwise be accorded to them by coming generations.

Which side is right? To aid us in deciding this question, let us examine a few statistics. The following are taken from the last official report of the Commission of Pensions dated June 30, 1891.

	Total number of pensioners on roll.	Amount paid for pensions.
1865	85,986	$8,525,153
1870	198,686	27,780,811
1875	254,821	29,683,116
1880	250,802	57,240,540
1885	345,125	65,693,706
1890	537,944	106,493,890
1891	676,160	118,548,959

Those who mourn over the illiberality of our Government towards its defenders, may find some relief in a careful study of the foregoing figures. If they still remain convinced that republics are ungrateful and that ours is particularly so, they may discover a ray of light in the following assurance given by the Commissioner in his report, page 21:

"I desire to call your attention to the reports made to the Department during the past four months, showing the number of pension certificates issued, the

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average amount of first payments and of the monthly rates. *The average of issues is now about* 30,000 *certificates per month. I am satisfied that the Bureau will be able to carefully adjudicate and allow* 350,000 *claims for pensions during the present fiscal year.*"

Of course we are all looking to the Commissioner of Pensions to relieve us of the charges of penuriousness and injustice towards the Nation's defenders, but there is reason in all things. To ask him to grind out pensions, or as he expresses it, to "carefully adjudicate and allow" pensions, at the rate of more than two each minute during every working hour of the year, is certainly unreasonable.

A saloon-keeper in the mining country put a card over the piano with this inscription: "Don't shoot the musician, she is doing the best she can." General Raum, the Commissioner of Pensions, might with propriety put a card over his office-door, saying, "Don't condemn the Commissioner, he is doing the best he can." A man who can turn out pensions at the rate of more than a thousand a day to men who quit the service more than a quarter of a century ago should not be too hastily condemned. He is doing the best he can.

Every civilized nation recognizes the duty of caring for those disabled in its defence, and for those dependent upon them. Great Britain pensions all her soldiers who have served more than twenty-one years in the infantry, or more than twenty-four years in the cavalry.

For the year ending March 31, 1891, the following appropriations were made by that government:

For the Army.	
Rewards for distinguished services, etc.	£20,080
Half-pay to general, regimental, and departmental officers	77,500
Retired pay and gratuities to officers	1,359,450
Widows' and orphans' pensions	165,051
Pensions for wounds	15,085
Support of soldiers in homes	31,100
Pensions for soldiers not in homes (including India, £465,725)	1,813,000
Superannuation and allowances	162,600
Militia, yeomanry, and volunteers	40,056
For the Navy.	
Half-pay, reserved, and retired pay	793,500
Naval and marine pensions	933,400
Total	£5,410,822

Twenty-five million dollars covers not only the pensions allowed by Great Britain, but the pay of general officers and the retired pay.

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In 1891 France pays for military and naval pensions 149,285,106 francs, or $29,857,000.

In 1891 the Empire of Germany pays for military and invalid pensions 63,796,456 marks, or about $13,283,000.

In 1891 Austria pays for military pensions 24,490,748 florins, or about $12,245,000.

In 1878 Russia pays 23,490,000 rubles, or about $18,000,000.

It is safe to say that the pension roll of the United States to-day is far greater than those of England, France, Germany, Russia, and Austria combined. And yet it is said, "republics are ungrateful."

It will be interesting to compare the pensions granted for services in our civil war with those granted for services in other wars in which we have been engaged.

The total number of enlistments in the Revolutionary war was 278,021. The total number that have received pensions for services in that war is 62,069; and the total amount paid them was $46,082,000. The number of pensions granted is $22\frac{3}{10}$ per cent of the entire number of enlistments. Pensions were granted from the close of the war up to 1818, for disability only. In that year, a service-pension was granted, and all received pensions who had been in the service and were incapable of supporting themselves. This service-pension bill was passed thirty-five years after the close of the war.

The total number of enlistments in the war of 1812, was 527,054. Pensions were granted to 60,670 of these soldiers, or $11\frac{1}{10}$ per cent of the entire number. The total amount paid up to date has been $36,-310,000.

In the war with Mexico, the total number of enlistments was 73,260. Up to 1887, 11,308 pensions had been granted. In 1887 a service-pension act was passed which increased the number to 23,271. The total amount paid to pensioners of the Mexican War is $13,000,-000.

In making comparison between the pensioners who served in the wars above mentioned, with the number who served during our civil war, we will not take the estimated number of men engaged in the latter war, but will take the entire number of enlistments, namely, 2,778,304, which is probably 700,000 more than the actual number engaged. Pensions had been granted on the 30th of June 1889 to 630,026 persons, and there are now pending more than 500,000 claims. Pensions have already been granted to more than 23 per cent of the entire number of enlistments, and this percentage is being increased, as

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stated by the Commissioner of Pensions, at the rate of one thousand per day.

It is difficult to state with accuracy the whole number of men in our army during the late war. We know that there were 2,778,304 separate enlistments. Some were for one month, some for two months; some for four months, some for one year, some for two, and some for three years. More than 300,000 men enlisted just before the close of the war, few of whom saw any active service. If we calculate on the basis of three years' service to each man, we deduce the following table, showing the number of men furnished by some of the States, with the deaths from all causes, the number now on the pension roll from such States, the percentage of deaths from all causes to the number of men furnished, and the percentage of pensioners now on the roll.

	Troops furnished, three years standard.	Deaths from all causes during war.	Number of men on pension rolls.	Per cent of deaths during war.	Per cent. now on pension rolls.
Maine	49,635	9,398	17,610	18.9	35.5
New Hampshire	29,150	4,882	7,707	16.7	26.4
Vermont	26,355	5,224	8,566	19.8	32.9
Massachusetts	98,803	13,942	25,953	14.1	26.2
Rhode Island	13,688	1,321	2,889	9.6	21.1
Connecticut	45,181	5,354	8,713	11.8	18.1
New York	334,784	46,534	60,325	13.8	18.1
New Jersey	44,398	5,754	13,375	12.9	30.1
Pennsylvania	214,427	33,183	65,986	15.4	29.9
Delaware	7,888	882	1,764	11.1	22.3
Maryland	24,954	2,982	7,867	11.9	31.1
West Virginia	27,518	4,017	9,787	14.5	32.8
Ohio	225,669	35,475	75,498	15.7	33.4
Kentucky	43,550	10,774	21,441	24.7	49.2
Indiana	150,177	26,672	55,704	17.7	37.1
Illinois	210,043	34,834	49,711	16.5	23.7
Missouri	78,025	13,885	33,135	17.7	42.4
Michigan	76,218	14,753	34,447	19.3	43.8
Wisconsin	73,805	12,301	20,969	16.6	28.4
Minnesota	18,554	2,584	10,873	13.9	58.6
Iowa	68,118	13,001	28,430	19.	41.7
Kansas	16,624	2,630	29,421	15.8	179.9
Dist. of Columbia	6,546	290	6,132	4.4	93.8
Colorado	6,546	323	3,381	8.7	51.8
California	3,697	573	8,004	3.6	216.4
New Mexico	4,430	277	450	6.2	10.1
Nebraska	2,175	239	12,011	10.9	552.1
Oregon	1,773	45	2,263	2.5	127.5
Nevada	1,080	33	166	3.	17.3
Tennessee	26,394	6,777	12,214	25.6	46.5

The figures in the foregoing table giving the number of men now on the pension rolls are taken from the report of the Commissioner of Pensions of July 30, 1891. The other figures are taken from a work

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entitled "Regimental Losses in the Civil War," by Major William F. Fox. The data used by Major Fox were obtained by him from the War Department. He estimates the number of men in the Union armies at about two millions.

Congress is besieged at every session so to change the laws as to increase the roll of pensioners and vastly to increase the expenditures of the Government. I believe the time has come when this agitation should cease. I earnestly hope that it will be checked for two reasons: First, I believe the tendency of these constant demands will be to lessen the esteem and affection which our people have always felt for the veterans of the late war. The liberality of the people and their desire to be generous towards the nation's defenders have been evinced not only by this vast pension-roll but by the establishment by the General Government of national homes in different sections of the country, and by several States of like institutions. In these homes, the disabled veteran is as kindly cared for as in any similar institution supported by any government in the world. Laws have also been passed giving the veterans preference in the employment of the Government. In fact, nothing has been left undone by our people to testify their gratitude to the veteran soldiers.

But I have a still stronger reason for opposing the further agitation of this question, and that is the interest I feel in the welfare of the many thousands of honest and deserving people whose names are now on our pension-roll. There is great danger, if we allow the pension-claim agents to represent the soldiers as a body of cormorants who are discontented with what they have received, that sooner or later we shall "kill the goose that lays the golden egg." It is for the interest of the pension claim-agent constantly to change our pension-laws so as to enable him to bring in new claims, each of which brings money to his coffers. At the rate pensions are now being granted, the claim-agents are in receipt of $3,500,000 per year. It is this class of men and not the honest pensioner who is interested in continuing this agitation. I fear that eventually a reaction will take place and honest and deserving pensioners will suffer with the undeserving.

The percentage of men now drawing pensions on account of service during the late war is much greater than the percentage granted to the soldiers of any other war in which we have been engaged; and yet such was the condition of affairs in 1834 as to lead President Jackson to declare his belief in the existence of extensive frauds under the pension laws. He said, "I recommend that an actual in-

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spection should be made in each State into the circumstances and claims of every person now drawing a pension. The honest veteran has nothing to fear from such scrutiny, while the fraudulent claimant will be detected and the public treasury relieved to an amount I have reason to believe far greater than has heretofore been suspected." He recommended also that all payments under the pension laws should be suspended until the reports from such an investigation could be received.

The danger to our pensioners is that, sooner or later, if we continue in the course heretofore pursued, the Government will adopt a recommendation similar to that urged by President Jackson, and then those who are deserving and are entitled to the support of the Government will suffer from the greed and dishonesty of the undeserving. The best friend of the old soldier is not he who is pressing these exorbitant demands upon our Government, but he who by counselling moderation voluntarily takes the risk of incurring the hatred of the pension-claim agent and the unthinking condemnation of his comrades.

H. W. Slocum.

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THE HEALTH OF THE SURVIVORS OF THE WAR.

WHAT has been the average effect of their military service upon the health and longevity of the men who constituted the armies of the United States and of the Confederacy in the war of 1861–65? Every one knows what this effect has been upon some of the survivors; that *the direct or indirect result of their wounds or of disease contracted* in the service has caused death to a large number, and has produced more or less physical disability in a much larger number, as is shown by the rolls of the Pension Office. But what proportion of the whole number is formed by those whose lives have thus been cut short, or who remain and are more or less dependent upon the care of others? And what has been the ultimate effect of their campaigns upon the large number of men who were neither sick nor wounded when they were mustered out?

It is now a quarter of a century since they left the regimental colors and returned to civil life—a period quite long enough to permit the effects of their military service to have become fully apparent, if it were possible to obtain the data required to answer these questions. In this country, however, our statesmen and legislators, whether State or National, have not as yet, as a rule, formed so high an estimate of the interest and value of human health and life as to induce them to take steps to have records kept of these matters. Vital statistics are not considered in the national book-keeping, and only half-a-dozen States have anything approaching complete records of deaths; while nowhere are there to be found any State or municipal records of the annual loss by sickness. The army and the navy, the police and the fire departments of some cities, and possibly a few manufacturers find it worth while to keep an account of the time lost by their employees on account of sickness or accidents, but nothing of this kind has yet been attempted for the great mass of the producers of the country. Even in the efforts to obtain statistics of labor, which are now being made by the National Government and the several States, no data seem yet to have been obtained with regard to the amount of time

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lost by working men and women on account of ill-health or injuries, although this would seem to be an important item in the comparisons of wages earned in different occupations, in different seasons and in different localities, as well as in the relative cost of production of different articles of food or of manufacture.

In attempting to answer the question, What has been the effect of military service on the health and longevity of the survivors of the war, it is, therefore, impossible to furnish definite and conclusive statistical data, and the best that can be done is to set forth opinions based on limited knowledge.

Probably the general view which prevails among those who have given any consideration to the subject is that the exertions, privations, and anxieties of military service during the war must necessarily have lowered the vitality and diminished the power of resistance to subsequent exposure and causes of disease of those who were subjected to these influences, even though no signs of this deterioration were shown at the time of discharge, or for years afterwards. This theory is strongly insisted on by pension-claim agents, who are prepared to show that almost any case of disease occurring in the veteran, even if not until twenty years after the close of his military service, must be due, in a greater or less degree, to injury to his health produced in the service, or, in other words, that such occupation necessarily damages the human organism to some extent. The fact that most physicians did not agree with this view made it necessary to pass the Act of June 27, 1880, by which the requirement of evidence that the disability was contracted in the service is done away with.

On the other hand a certain number of physicians and sanitarians are of the opinion that a great number of the survivors of the war were improved both mentally and physically by their service in the field, and that, among those who now survive, the expectation of life is quite as great as, if not greater than, that of other males of the same age living in this country under like circumstances. In favor of this view it may be urged that in almost all respects and at almost all times the life of the soldier during the war was more favorable to the production of a strong, well-proportioned body than the life of the average citizen. The soldier had the benefits of a life in the open air; benefits so great that only those who have for a time enjoyed them and have then for a time been deprived of them can fully appreciate their value, and which of late years some of our most distinguished physicians seek to secure for many of their patients by recommending

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camp-life in place of drugs as a course of treatment. The soldier has regular exercise, bringing into play the muscles of body, chest, and limbs, and tending to produce greater lung-capacity, a larger and more powerful heart, and a comparative indifference to minor changes of weather and to diet, constituting what we call a healthy organism; which, be it remembered, is not merely an organism that is not sick, but one which is capable of doing its work with vigor and comparative enjoyment without being bound down by the strict rules of diet and mode of life which are requisite for the invalid. No form of mechanical labor, and still less of clerical or mercantile employment, is so well adapted to secure these ends as the systematic training of the body produced by military drill and discipline. It is true that in some cases there are special dangers connected with these, and that drilling and marching in badly-adjusted accoutrements, which unduly compress the chest and waist, may produce some serious heart troubles, of which the physicians of the great rear-army hospitals had abundant evidence during the first three years of the war. But upon the whole it is probable that the good effects produced by drill far outweigh the evil. As regards food, clothing, and shelter, the soldier of the Northern army was, as a rule, well supplied, from the sanitary point of view. The allowance was not luxurious nor always comfortable, but it was sufficient, and quite as well calculated to maintain and promote health as that used by the average citizen.

Bearing in mind these two opposing views, each of which embodies a certain portion of the truth but not the whole truth, let us see what conclusions may be drawn from such incomplete and imperfect data as can be found bearing on these points.

The total number of enlistments and of commissions issued in the United States Army during the late war was about 2,800,000. Many of these, however, were enlisted or commissioned more than once, and the number of these is unknown. Dr. Ainsworth, the Chief of the Record and Pension Division in the War Department, estimates 2,128,948 as the number of individual soldiers serving in the war, which is probably, if wrong at all, slightly in excess of the true number, which in round numbers we may put at 2,100,000. The greatest number of men in the service at any one time was about 1,000,000, in 1865. The number of deaths during the war was 359,528, of which 67,000 were killed in battle, 49,205 died of wounds and injuries, 225,-791 of disease, and 17,532 of other or unknown causes. The annual ratio of deaths during the war was about 88 per 1,000 of average

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aggregate strength, of which deaths, 33 were due to injury, and 55 to disease. The number of veterans surviving on the first of June 1890, as shown by the special count made by the census officials, was about 1,100,000. Some of the veterans are living in other countries, so that the actual number is in excess of this. In his last report, the Commissioner of Pensions estimates that 1,208,709 are still living. From these data we may compute the average annual death-rate of the veterans since the close of the war as having been between 13 and 14 per 1,000. This is also the death-rate for the last twenty years among those veterans who have been receiving from the Medical Department a special allowance every five years on account of the loss of a limb. The death-rate of males between the ages of 35 and 54 in the State of Massachusetts is 12, in New Jersey it is the same, in Boston it is 15, in Brooklyn 16, in New York 17, per 1,000. The death-rate among the veterans was greatest during the first ten years after the war, when the most severely injured or diseased were eliminated; during the next ten years it fell to about 6 per 1,000, if the figures of the 9,000 men on the artificial-limb pensioners' roll may be taken as a guide; and since then it has been increasing in the usual ratio with advancing age.

Upon the whole, such imperfect data as we have indicate that the average death-rate among the survivors of the war for the last twenty years has been a little higher than that of the average population of males of the same age. Theoretically it may be argued that the average expectation of life of the veterans now living should be somewhat greater than that of the rest of the male population of the same age, because the weakly ones and those especially injured by military service should have by this time disappeared.

When the records of the eleventh census are compiled, we shall have some interesting data bearing on this point. At present I can say only that from an examination of these data for a single State, the above theory does not seem to be sustained. In the State of Massachusetts, about 40,000 veterans were reported as living on June 1, 1890, forming about one-eighth of the white male population over forty years of age. Hence if they were equally healthy, the number affected with disease should be about seven times as great among the latter as among the former.

The following table shows for certain forms of disease and disability the number of cases found in white males over forty who had not been in the military service, the number of cases which should have

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been found among the veterans according to the above ratio, and the number that were actually found:

Character of disease or disability.	No. of cases found in white males over 40 years of age not veterans.	No. of cases which should have been found among veterans on a ratio of one-eighth.	No. of cases actually found among veterans.
Consumption	292	41.5	89
Diarrhœal diseases	114	16.3	910
Diseases of digestive system	309	44.1	188
Paralysis	1,106	158.	292
Other diseases of nervous system	396	56.5	113
Diseases of heart and circulatory system	587	83.8	544
Diseases of the kidney and urinary organs	654	93.4	353
Diseases of respiratory organs	768	109.5	363
Rheumatism	2,443	320.4	1,627
Other diseases	770	110.	461
Total	7,439	1,033.5	4,940

These figures are only approximate, but they indicate that the proportion of sick men is at least four times greater among the veterans than it is among other males of the same age. Among the insane, however, there were 1,487 white males over forty not veterans, and only 156 veterans, while according to the above ratio there should have been 212.

The relatively great prevalence of diarrhœal diseases, of rheumatism, and of heart disease among the veterans might have been anticipated, but some of the above figures are rather surprising. They are, however, to some extent, confirmed by an examination of the causes of death of 511 veterans in Ohio, from which it appears that consumption caused over 13 per cent, heart disease 16 per cent, kidney diseases 7 per cent, and diarrhœal diseases 5 per cent of all the deaths, being much larger ratios than are found for other men of like age.

From these figures we must conclude that while the health of some men has been improved by their military service during the war, even to the preservation of lives that would have been lost had the owners remained exclusively in civil life, the health of the average veteran has been deteriorated by his service; and that he suffers more from illness and has a somewhat less expectation of life than other men of his age. This conclusion, based as it is upon an examination of the census data for a small part of the country, is a provisional one only, and we must wait for more complete compilations to give definite and reliable figures.

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Previous to examining these census figures, I had formed a more favorable impression of the present health of the surviving veterans of the Northern armies; this impression having been derived in part from personal acquaintance with a large number of them who are still in the United States service in various Departments of the Government, in part from conversations with physicians from different parts of the country, and in part from my knowledge of the death-rates of those pensioners who are receiving special allowances for loss of limbs. It may be said that the replies made to census enumerators as to sickness and disability would probably be more likely to take into account minor pains and disorders when given by or in regard to veterans, and especially pensioners or applicants for pensions, than when made by or about other men, and also that they would be more willing to report certain forms of disease; but, making due allowance for this, the figures for sick and disabled men over forty years of age in Massachusetts indicate that the old soldier is worse off as to physical health than other men of his own age.

With regard to the Confederate veterans, the data available at present are more scanty than those for the United States service, but the records of death of 474 ex-Confederate soldiers in the State of Georgia, during the census year, as compared with the records of death of 2,150 white males over forty years of age in the same State for the same period, indicate that there was less difference in the proportion of deaths from consumption, heart disease, and diarrhœal diseases in the two classes than existed in the deaths above referred to as occurring in Ohio. The figures are, however, too small in either case to permit the drawing of reliable conclusions; and, until we have before us the number of living veterans of each service, by groups of ages, for the whole country, with corresponding figures for the rest of the males over forty years of age and for the deaths in each class occurring during the census year, we cannot determine the relative tendency to death in the Northern and Southern veterans.

As regards those veterans who have been and now are on the pension-rolls, it seems very desirable that the information contained in the records of the Pension Office should be classified, tabulated, and published in such a way as to be most useful to those whose business it is to legislate on this subject, to those who are interested in vital statistics and life insurance, and to the medical profession. It is evident that the records of the results of disease and injury in nearly a million of men, extending over a period of more than a quarter of a

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century, must contain data of great interest from sociological, sanitary, and medical points of view such as probably exist nowhere else in the world.

We want to know, for example, the annual death-rates among the pensioners since the war with distinction of quinquennial groups of ages, and with the further distinction of color and of the principal nationalities, such as native Americans, Irish, Germans, which would give us the means of calculating the expectation of life among these different classes. We also want information as to the results of different classes of diseases and injuries through a series of years, of chronic diseases of the lungs and digestive organs, of sunstrokes, of injuries of nerves, of loss of limbs, and the like.

This information is of practical importance not only to those who have suffered from these results, and to those who are daily called upon to advise and treat those affected with such diseases and injuries, but to every one who is liable to be so affected in the future,—in other words, to every citizen of the United States. At present this information is inaccessible to the medical profession and to the public. It exists only in the form of individual records, certificates of physicians, reports of medical examining boards, and the like, all which must be collated and tabulated in order to make them practically available and useful.

No doubt the present force of the Pension Office is inadequate to undertake this work in addition to its present duties; and Congress should, therefore, authorize for this purpose the employment of men fitted to undertake it, and provide for their payment and for the publication of the results obtained by them.

JOHN S. BILLINGS.

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HAS CRIME INCREASED IN MASSACHUSETTS?

In an article in the October number of the Forum Mr. W. P. Andrews makes use of certain facts as to the course of crime in Massachusetts, to prove that the more humane treatment of prisoners in later years has increased criminality. Even if the facts were as he states them, I should take issue with him as to the cause of the increase. But my main object in this paper is to show that he has only partially stated the facts, and that some of them were, by inadvertence, misstated. Three times in his article Mr. Andrews declares that while the population has trebled since 1838, the number of prisoners has increased fifty-fold. Once he uses these words:

> "We must not forget that while, in the last fifty years, the population has increased from 737,700 to 2,238,943—that is, has about trebled—the number of prisoners has meanwhile increased fifty-fold—852 prisoners in 1838, against 44,908 in 1890."

The error in this statement lies in the fact that a comparison is made between figures which have no relation to each other. The 852 prisoners in 1838 were those remaining at the end of the official year. The 44,908 prisoners of 1890 were those committed during the year, and even these are stated as one-third larger than they were, doubtless inadvertently, the official reports showing the number of commitments in 1890 to have been 33,290. The comparison should have been made between the 852 prisoners remaining in prison in 1838 and the 5,739 remaining in 1890. The increase in the prison population has been seven-fold, instead of fifty-fold. In other words, the criminal population has increased a little more than twice as rapidly as the entire population.

There can be no difference of opinion as to the seriousness of even this rate of increase, but in order to understand its full meaning the figures given must be studied in connection with others. The condition of affairs at intermediate dates between 1838 and 1890 is important. The more lenient methods of treatment did not begin to prevail until after the war. In the period from 1838 (the starting-point of Mr. Andrews) to 1861 the punitive system prevailed. The growth of

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crime in that period, and from 1861 to 1890, and the percentage of increase are shown in this table:

Years.	Population.	Number of Prisoners.	Proportion to Population.	Percentage of Increase.
1838.....	700,000	852	1 in 822; or 121+ in 100,000	
1851.....	994,514	1,640	1 in 606; or 165+ in 100,000	35+
1861.....	1,231,066	2,634	1 in 467; or 214+ in 100,000	29+
1890.....	2,238,943	5,739	1 in 390; or 256+ in 100,000	19+

In the ten years from 1841 to 1851 the number of persons in prison at the end of the years increased from 990 to 1,640, or 65 per cent. In the same period the population of the State increased only 34 per cent. In other words, the number of criminals increased almost twice as rapidly as the population did. In the ten years from 1851 to 1861 the number of prisoners remaining increased from 1,640 to 2,634, equal to more than 60 per cent, while the whole population increased only 23+ per cent. During this decade the Boston House of Industry was established. Its inmates are included in the figures for 1861.

The population of the State during the two decades, 1841 to 1861, increased 67+ per cent, and the prison population more than 166 per cent, or from one in 822 of the population in 1838 to one in 521 in 1861. Many persons find it difficult to understand the real meaning of the proportion of prisoners to population when stated in this form. Mr. Andrews apparently misunderstands it, for he says:

> "If in fifty years the ratio of prisoners to population has been reduced [he means increased] from one in 800 to one in 400, will the next fifty years take off the remaining 400, and shall we become a nation of criminals?"

The absurdity of the question will be seen if I state the facts in another form: The number of criminals has increased from 121+ in 100,000 in 1838 to 256 in 100,000 in 1890. Will the same rate of increase in the next half-century make us a nation of criminals? Not at all. There are now 99,744 non-prisoners in each 100,000 of the population. If the number of prisoners should be doubled, there would still be 99,488 persons out of prison to 512 in confinement. If the crime-class should continue to increase at the rate of 256 in 100,000 in each fifty years, it would require nineteen thousand years to bring about the suggested catastrophe, and change the 99,744 virtuous persons into criminals.

It will be of interest to compare the growth of crime in the period

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when the punitive system prevailed with the increase in the years in which greater leniency may possibly have been shown. In the years from 1838 to 1861 the increase was 76+ per cent. In the twenty-nine years from 1861 to 1890 only 19+ per cent. The number of prisoners has not yet begun to show a decrease, but the rate of increase has been lessened. We are not "going to the bad" as rapidly as we were from 1840 to 1860. I do not believe that this improvement is due to any change in the prison system. I merely mention it to show how groundless is the assumption that by improving the lot of the prisoner we have increased crime.

In all studies of statistics of crime, we need to keep in mind the kind of offences committed, as well as the changes in the proportion of prisoners to population. We have official figures from 1841 to 1858, showing the number of commitments for various classes of crimes. (The number of commitments in a year should not be confounded with the number of prisoners remaining at the end of the year.) The number of commitments in 1841, 1846, 1851, 1858, 1880, 1885, and 1890 was as follows:—

Offences.	1841	1846	1851	1858	1880	1885	1890
Assault	243	496	877	1,562	1,578	1,754	1,732
Burglary	12	36	139	221	173	271	267
Forgery	19	13	20	41	11	41	27
Homicide	6	12	13	40	10	16	12
Larceny	595	1,082	1,457	2,320	1,518	2,031	1,754
Counterfeit money	4	25	44	119	.....	.....	.....
Total	879	1,664	2,550	4,303	3,290	4,113	3,792
Drunkenness	1,143	2,816	3,850	5,490			
All other offences	1,670	1,275	3,441	4,011	See later tables.		
Total	3,692	5,755	9,841	13,804			

From 1841 to 1858 the commitments for six prominent offences against the person and against property increased 382+ per cent, and the commitments for all offences 273+ per cent. This was in the days when there was no "sentiment" in prison management.

So much for the past. But how about the present? The statistics of crime in Massachusetts, since 1881, are very complete. The credit of this for recent years is due to the secretary of the Commissioners of Prisons, Mr. Fred G. Pettigrove, who deservedly holds a high rank as a statistician. From 1861 to 1881 the figures are incomplete, but this makes little difference, because the principal changes have taken place since 1881.

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The number of commitments to all the prisons of the State, including the reformatories for adults, were as follows:—

1881	17,062	1886	25,458
1882	22,865	1887	26,825
1883	24,125	1888	30,683
1884	26,739	1889	34,094
1885	26,651	1890	33,290

Before the meaning of these figures is estimated, it is important to ascertain how this increase of nearly 100 per cent is made up, and what offences have increased. It is found that the increase in commitments for offences against the person was only about 8 per cent. The increase in commitments for offences against property was a little more than 14 per cent. In the same period the population of the State increased more than 25 per cent. These two classes of offences are universally recognized as crimes, while the offences against public order stand on a different basis.

Turning once more to the last but one of the preceding tables, we shall gather some important facts regarding the course of real crime. The commitments for larceny in 1885 were exceptionally large. In 1884 there were but 1,871, and in 1886 there were only 1,671. But taking the figures as they stand, they make a remarkable showing. From 1841 to 1846 the commitments for these offences increased 89+ per cent; from 1846 to 1851 they increased 53+ per cent, and in the next seven years, from 1851 to 1858, they increased 68+ per cent. But in the five years from 1880 to 1885 the increase was only 25+ per cent, and in the last five years there has been *an actual decrease* in commitments for each of these offences. More than this, as the same table shows, there were actually fewer commitments for these offences in 1890 than there were in 1858! (It will be noticed that making and passing counterfeit money, for which there were 119 commitments in 1858, has practically ceased.) The figures reveal a marvellous improvement in the condition of affairs in Massachusetts, so far as serious offences are concerned, since 1858, there being an actual decrease in the number of commitments for them, though the population has substantially doubled.

Where, then, has been the enormous increase which the aggregates show? Solely in offences against public order and decency, such as adultery, nightwalking, disturbing the peace, drunkenness, being idle and disorderly, violation of liquor laws, vagrancy, and the like,—the vices of the people, or the results of their vices. The course of affairs in this direction is indicated in the following table, showing the num-

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ber of commitments for drunkenness and all other offences against public order, in each of the last eleven years:—

Years.	Drunkenness.	All Other.	Total.	Years.	Drunkenness.	All Other.	Total.
1880.....	10,962	2,312	13,274	1886.....	17,981	3,258	21,239
1881.....	10,930	2,223	13,153	1887.....	19,952	2,773	22,725
1882	16,769	2,122	18,891	1888...	23,407	3,031	26,438
1883.....	17,854	2,259	20,113	1889..... .	25,879	3,548	29,427
1884	19,564	2,705	22,269	1890.....	25,686	3,236	28,922
1885.....	18,701	3,153	21,854				

The increase of commitments to Massachusetts prisons has been, as will be seen, entirely in drunkenness. Even the kindred offences have increased far less in proportion than drunkenness has. We are not becoming a nation of criminals, but we are overwhelmed by a great tide of drunkenness and kindred vices. If, instead of commitments, we consider the prison population at any given date, we find the same fact prominent. With a population of more than two and a quarter millions Massachusetts held in prison, in September, 1890, only 601 persons sentenced for offences against the person, and only 1,545 for offences against property, a total of 2,146, or less than one for each thousand of the population.

The commitments for drunkenness in 1841 were 1,143 in a total of 3,692 for all offences. In 1890 they were 25,686 in a total of 28,922. Excluding the commitments for drunkenness, the commitments in 1841 were 2,813. In 1890 they were 7,450 (the commitments to the State Prison being omitted in both cases). The population of the State had trebled. If the number of commitments for other offences than drunkenness had increased at the same rate, they would have been 8,439. They were only 7,450. In other words, the increase in the commitments for serious offences was not as large by about twelve per cent as the increase in population.

It does not seem necessary to take space to refer to the large business of the inferior courts, farther than to say that it consists mainly of cases of drunkenness and kindred offences. Of the 81,255 cases begun in the lower courts, sentences were imposed in only 66,922. In the Superior Court 2,158 more sentences were imposed, making a total of 69,080. In other words in about 13,000 cases guilt was not proved, or the offences were too trivial to warrant sentences. Sixty-five thousand three hundred and ninety-six of the 81,255 cases were for offences against public order, and 51,466 of these were for drunkenness. There were, in the entire State, for the year, only 8,102 cases

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begun in the lower courts for offences against the person—many of them petty assaults—and only 7,757 cases of offences against property —many of them petty larcenies. Though Massachusetts punishes many offences which are not noticed anywhere else, this record cannot be equalled in any other State, as showing exemption from serious offences.

This progress has been made in spite of two great demoralizing influences—the war and immigration. In no other country has war had so few evil results, but its effects are still felt in the morals of the people, to some extent. The demoralization caused by immigration was much greater, and is more easily traced. The following table will show at a glance something of its effect. The figures represent the commitments to the county prisons, and the proportion of native-born and foreign-born persons committed:—

Years.	Native-born.	Foreign-born.	Per cent native.	Per cent foreign.
1841.....	3,167	1,357	70+	29+
1851.....	6,556	5,072	56+	43+
1861.....	4,115	6,992	37+	62+

It will be seen that the number of commitments of native-born prisoners was actually smaller by more than one-third, in 1861 than it was in 1851. If we continue this inquiry, we find that though 9,426 of the 18,222 persons committed to county prisons in 1890 were born in this country, only 2,860 had American-born parents.

Remembering that during the past half-century we have absorbed hundreds of thousands of foreigners, who had been reared in a different atmosphere, the wonder is that we should be able to say that acts which are universally recognized as crimes have decreased in Massachusetts in proportion to the population. So much of the Massachusetts of 1841 as is reproduced in 1891, is far better than it was half a century ago—more honest, more temperate, more virtuous. It is also true that there has been a steady improvement in the character of our foreign population, under the influence of our institutions. That there should be a large pauper and criminal residuum is to be expected, but there were never so many honest, temperate, and virtuous persons of foreign birth and parentage in Massachusetts as there are to-day. A comparatively small number give a bad name to the mass of our foreign-born population. But in spite of the great influx of persons reared without the advantages of our civilization, we have more than held our own, as a State, in the struggle against crime, though we have failed to keep down the vices.

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There may be those who do not see the reason for making a distinction between the more serious offences and the misdemeanors. The distinction may seem an arbitrary one, but an examination shows that there is a well-defined line of separation. There are certain acts which are universally recognized and treated as crimes. They include murder, assault, robbery, burglary, larceny, embezzlement, and the like. There are other acts which are crimes in one State and are unnoticed elsewhere. If any good citizen should see a man snatch a pair of shoes, he would feel under obligation to cry "stop thief." If he saw a burglar breaking into a house, he would endeavor to secure his arrest. If he witnessed an assault, he would call the police. Every good citizen feels a personal interest in preventing these offences, and in securing the arrest of those who commit them. But no one has the same feeling about offences against public order and decency. Neither the government nor the offender nor the good citizen looks upon offences against public order in the same way that he looks upon offences against the person or against property, and it must be apparent that in considering the question of the increase or decrease of crime, the same discrimination should be made. The causes, effects, and methods of treatment are different. In saying this I would not be understood as conveying the impression that the misdemeanors are of little consequence, for I regard drunkenness, vagrancy, and the like, in some of their aspects, as even more serious than offences against person and property. I only bespeak intelligent discrimination in the study of statistics of crime.

From what I have said it will be inferred, and properly, that I disagree emphatically with the assumption that the increase in crime during the last half-century is due to sentimentalism in prison management. I have shown that there was a larger increase in crime when the strictly punitive system was in force, than there has been latterly, and that in spite of the war and demoralizing immigration, we have kept down the figures which represent everything except vice. No one will contend that the increase in drunkenness is due to excessive leniency in the treatment of prisoners.

The drift of the argument of Mr. Andrews seems to be against the reformatory system, but it will be noticed that all his illustrations are drawn from strictly punitive institutions,—the Boston House of Industry and the county prisons, where nothing is done with a definite purpose to reform the prisoner. That men return to those institutions scores of times is true, but this should not be charged to the

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reformatories, to which comparatively few return. They are responsible for those only who are treated by them,—less than a thousand a year out of the more than thirty-three thousand who are committed each year to Massachusetts prisons. The reformatory system must be judged by its own results upon those submitted to it, and its friends court a comparison of these results with those attained under the most severe of punitive systems.

Prison reformers are a unit against the whole system of brief sentences to merely penal institutions. They contend that where imprisonment is necessary, it should be for a term long enough to permit an effort for the reformation of the offender, and that whenever any human being comes into custody, the State should avail itself of the opportunity to secure that change of character which will prevent his return to a life of crime.

But when all has been done that can be done to make the prison system better, it will be found that the prison cannot be depended upon to reduce crime. Fear of imprisonment may deter a good man from yielding to a great temptation, but only a small percentage of the crime class consists of "good men gone wrong." A much larger percentage consists of men and women badly born and badly reared, whose instincts, desires, and impulses and environments have always been wrong, to some extent. To this class of persons, imprisonment, no matter how severe, can never have much restraining power.

Crime can no more be reduced by punishing (or even reforming) the criminal, than an epidemic of smallpox can be stopped by curing its victims. The criminal is a product, and crime can be decreased only by stopping the production. Wise prison methods will result in the restoration of many who have fallen, but until methods are devised for keeping men from becoming criminals, little comfort can be obtained from statistics of crime. Multiply and apply the agencies which have kept the other three hundred and ninety-nine virtuous and honest, and the other one in four hundred may be kept out of the criminal ranks. Reduce the agencies which make men vicious, and the solution of the problem will be comparatively easy. The responsibility for the increase of crime, when there is an increase, rests upon society, and not upon sentimentalism in prison management.

WARREN F. SPALDING.

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THE DEVELOPMENT OF AMERICAN HOMES.

THE social condition of the communities of the past may be divined in a broad way from a mere list of their most conspicuous and characteristic buildings. How much is told when we say that the typical structures in Egypt were stupendous temple-palaces and rock-hewn tombs, in Assyria palaces that were not temples, and in Greece temples that were not palaces but the people's treasuries and trophy-chambers and near neighbors of the public rostrum. How large a glimpse of history is afforded by the thought that the Romans were especially constructors of bridges, aqueducts, amphitheatres and triumphal arches, that mediæval Europe built chiefly fortified castles and huge churches, and that in later times the Low Countries expressed themselves in town-halls and trade-halls, France in royal *châteaux*, Italy in princely city palaces, and England in baronial country homes.

Civilization is more complex to-day than in earlier ages and communities are less isolated and therefore less individual; and for both these reasons architecture nowhere devotes itself conspicuously to any single class of buildings. It expresses national traits and social facts with as much truth as ever; only, these traits are less strongly marked, these facts are more numerous and involved, and so the record in stone is less easily deciphered. Nevertheless, there are characteristic, typical buildings to be found in every land, and they may be discovered if we reverse the process of thought and, instead of reading history in architecture, read architecture in the light of social conditions. From the temple-palaces and tombs of Egypt we can reconstruct in the rough Egyptian society; but likewise, were all the buildings of Egypt lost, we might imagine their nature had we any knowledge of her people and her rulers. Surely, then, we must know enough of our own country to determine, amid all the welter of current architectural effort, where it is that we most clearly and characteristically express ourselves.

A truism brings us indeed at once to our goal. Every American knows, every foreigner sees, that ours is a land not for a class or caste,

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but for the people as a whole. This means that it must be a land upon which individual rather than federal, municipal, or corporate activity has set its mark. When individuals build, it is houses to live in, shops and offices to work in; and so our choice of typical buildings must lie between these two classes. As between the two it is not hard to select. Be it ever so costly and conspicuous, ever so novel in dimensions, design, and arrangement, ever so interesting from the purely architectural point of view, a business building cannot express the personality of its owner as does the house in which he lives. And it is the expression of personalities in the aggregate, the expression of the men and women who make up a nation, which gives a class of structures a truly typical character. To see where the American people stands in the matter of taste, to see how far it has got on the road of æsthetic progress, and whither this road is likely to lead, we must look at its homes and especially at their interiors.

The first fact they prove is the truth of the truism just set down. Ours is a land for the people: its immense wealth is very widely distributed. Even our few biggest and finest city-houses do not equal the many private *hôtels* of modern Paris, nor would our most magnificent country homes take similar rank in England. But on the other hand an English architect recently said to his professional brethren: "Take the ordinary house of the middle-class American and compare it with the building of the same class on this side, and I think the odds will be found to be very largely in favor of the former." If we are in search of the lessons as well as of the facts that our typical buildings teach, do we not find one just here? It is the lesson that in America progress in art must come as a general advance of the whole nation. The improvement of a class cannot help us much when we have really no upper class permanently marked off by birth or possessions. Architecture cannot here devote itself to country homes like those of which we think when we say "Elizabethan art," or to city palaces like those which resume the meaning of the words "Italian Renaissance art." It is above all the average dwelling that will be improved if our architecture grows, and of course it can be improved only by the development of good taste in the public at large.

What now is the present condition of this dwelling more narrowly examined?

The Englishman just quoted says that our city homes, whether single houses or apartment houses, are particularly well planned both for convenience and for beauty. We may venture to include our best

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country homes in the verdict and may be greatly pleased with it, remembering that to plan well is the beginning, source, and inspiration of all architectural excellence. A Frenchman who also wrote about us not long ago says that in our house-architecture especially we pay too much attention to contour and silhouette and thus render our plans irregular, but that "notwithstanding this defect" there is a great charm about our houses, villas, and cottages which are "less formal and far more homelike" than their English prototypes. The first fact he mentions is a fact, but he has got it, so to say, by the wrong end. It is because we distinctly want diversity and irregularity in our plans that our houses show broken masses and outlines. We think much less of exterior effect than Frenchmen who, to keep the outside of a house dignified and harmonious, make use of plans which, while excellent for Frenchmen, would never content the American soul.

Nor is the irregularity of our plans really a defect. We ought not to be content with the simpler, more formalized planning of French houses. Architecture can never be anything unless it is the faithful interpreter of actual needs, instinctive wants; and in their homes men of so-called Anglo-Saxon blood need comfort in a much more detailed, complicated, and varied sense of the word than is understood by men of Latin blood. In most artistic matters we are unlike the English; but our inherited wish that a house should exactly fit the needs of its inhabitants has drawn us pretty close to them in our ideals of domestic architecture. Yet we have fallen into no slavish imitation. For instance, our customs in fenestration are very different from theirs, because we need rather to exclude the summer sun than to admit it generously, and our love for wide verandas is certainly indigenous. And does not the French critic say that in general we have improved upon our English models?

If, then, our plans are irregular and varied, it means that we have started right in the path of domestic architecture; and if they are excellent, it means that we have made the first and most important step in advance. So here is the second lesson: Let us cherish our instinct for individual expression in the planning of our homes while trying in their exteriors to attain more unity, dignity, and grace than as a rule we have yet achieved.

Let us cherish this instinct I say. It might better be written, Let us develop it to a nicer, keener sensibility than we feel to-day. Many of our recent homes are quite perfect in their planning, not only as

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exercises of architectural skill, but as expressions of the special needs, habits, and tastes of their occupants. But in others, especially of the costlier kinds, which are equally good if considered as solutions of an abstract problem, we see in the character of the problem an affectation of needs that did not exist. The American client does not think, as a foolish French client might, that he should sacrifice the interior to the exterior of his house; but he sometimes is willing that the interior should misrepresent himself. If we have much money but no desire or no opportunity to lead a hospitable social life, we may need a big house and a handsome one, but we do not need one like our neighbor's where dinners and balls are of constant occurrence. Stately, somewhat stiffish drawing-rooms are a necessity to him, and a dining-room to seat four dozen guests. To us they are worse than luxuries: they are affectations and so both vulgar and inartistic. Getting them we may get in one sense a beautiful house. But it will not be a good house, for it will have little more expression, vitality, or human interest than a piece of scene-painting. Nor will the chance we give in its construction help the advance of art as much as though we should say to our architect: "Build me a house in which I and my family can live thus and so; make it big, make it beautiful, but give me a billiard-room for the boys instead of a ball-room for guests who will never come, a great play-room for the children, a fine office or library for my work, a gallery for my pictures—rooms for us to live in, not rooms which exist merely because it is 'the thing' to have them. Make it my house, my own, not just a house, however beautiful." If we do not say something like this, how are we more intelligent than the farmers' wives we laugh at because they live in the kitchen and open the parlor only for weddings and funerals? Here, then, lies another lesson: If we want good houses and if we want our architecture to grow supple, subtile, skilful, and apt for any task, we should know in advance exactly how we mean to live, and demand a house which exactly expresses that intention.

General success in the arrangement of our homes is a product of recent days, and hand in hand with it has come also progess in the matter of their fashioning. Look back some fifty years and we see chiefly white walls, articles of furniture that are plain and few, and draperies meant to keep out the draughts rather than to please the eye. Pass over some twenty years and we come to gold or "velvet" wall-papers and costly "suites" of rosewood and satin furniture, while the ornamentation which was almost wholly lacking before is supplied

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by gilded cornices and mirror-frames, Landseer engravings, a few dismal pictures, and bronzes of strictly commercial quality. Of course there were exceptions to the rule during both these periods, but such were the typical homes of America until the present generation began to build. In the first period we wanted serviceable, respectable-looking houses; in the second we wanted "handsome" houses; but in neither did we think much of beauty or interfere much with the upholsterer, not yet risen to the rank of a "decorative artist."

There is much in the very sound of the words "decorative art" to make the judicious grieve, and more in the results of our recent devotion to the ideas they have been made to convey. One is sometimes almost tempted to feel, indeed, that the art of making beautiful homes, which is architecture, has had no deadlier enemy in America than the "artist in decoration." Nevertheless he and his kin, including the house-mother who imitates him in amateur fashion, and all their results, from the Fifth Avenue house which looks more like Sypher's shop than like a home to the cottage bestrewed with silly paintings, Japanese fans, coarse pottery and ribbon bows—all these have been signs of a most happy change, heralds of a promising advance. They mark the time when indifference to ugliness passed away: the period they illustrate is the first within the memory of living Americans when a desire for beauty in the home has been genuine and wide-spread. It is not wonderful that a desire so new should have failed at first to find the right expression, or even the right road towards expression. It is natural that we should have thought at first, not of art, but of "decoration," and should have employed "decorators" instead of artists; or, when forced to depend on ourselves, that we should have studied, not the eternal canons of beauty, but some novel, superficial doctrine of "household beauty." I do not wish to imply that among our decorators there have been no artists or that none of their work is well adapted to aid the beauty of our homes. I mean merely that we have given primary rank to secondary things and wrongly employed the talents at our disposal. We have thought that a mass of beautiful minor things might make the one large beautiful thing we wanted. Sometimes we have even bought our things first, built a house to hold them, and been surprised if the result lacked coherence, meaning, individuality, and charm. Of course the way in which many of us live, camping in hired houses, has had much to do with twisting our perceptions of true beauty. Necessity rather than choice has often limited us to the effort to dis-

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guise the architectural sins of those who had not built with our tastes in mind. But we have been too well satisfied with the result, have misconceived its character, and carelessly imitated it when getting houses of our own.

However, this stage too is passing away. We are learning that all art is one, that no sharp line can be drawn between what is decorative and what is not, and that things which are less than "artistic" cannot be properly "effective in decoration." We are learning that we may show our love for art otherwise than by "collecting," and may create our homes in better ways than by turning them into museums. We are learning that the essence of all beauty is *design*, that a clear, coherent idea should underlie every effort, that to get a beautiful house we must build it beautifully and furnish it in a harmonious way.

And very beautiful houses have been built in America of late, from city homes that are little palaces to modest country cottages which are none the less sensible for being eminently picturesque. As a rule our country houses are the best. Here we are most successful because at once most rational and most individual, least conventional and imitative, least beset by the desire for mere display or for mere collecting. Here we have most frequently asked for just what we wanted and wanted things of a sensible kind. Here our native desires and tastes most genuinely express themselves, and we find the buildings we should prefer to show a foreigner as both very American and very good. Of course here and there in our cities we may pick out a building which equals our best country homes in true excellence and surpasses them by far in pure architectural importance. But I am speaking now of classes of buildings, and I am sure we have a better right to be proud of our country homes as a class than of our municipal structures, our churches, our business blocks, or anything else that is ours. Naturally we may be glad of the fact in view of their typical, representative character. To have begun well in the buildings which most clearly show the desires and aims of the American people as a whole entitles us to hope for future success along all other architectural paths.

Let us see now whether we can guess from the character of our new homes in what direction these other paths may lead us. If anything that can be called an American style has yet given signs of itself, we ought to read them here; and if we find them here we should at least reflect upon their possible prophetic value. Of course

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no one can predict how an "architecture of the future" may develop because the world of to-day, fed on much knowledge, keen criticism, wide appreciation, and amateur theoretical preaching, is very different from those old artistic worlds where men knew only the work of countries close at hand, had small antiquarian reverence or æsthetic sympathy for the work of their predecessors, and did their own work in an instinctive, untheoretical, boldly creative way. Perhaps there will never again be a period when all architects shall build in the same spirit, when one style shall rule in great works and small until, carried to its logical end, it shall form the soil for another development as widespreading and harmonious. Perhaps when American architecture eventually does its best, it will build—as it does to-day—things of a hundred different sorts. But I do not think so. I might give many reasons, all seeming to point towards harmony if not absolute unity as an unalterable condition of architectural triumph. But I have only time to cite the evidence of one fact—the fact that in our house-building we have even now begun to agree upon something which may be called a style.

Many of our new country homes, if we look at their outside only, seem to be built in no style at all, being quite devoid of ornament, dependent for their effect on mass and outline only, and differing in mass and outline from any Old-World models. But look inside. Here there must be some degree of ornament if the house is more than a cabin, lodge, or studio built for a half-camp-like mode of life. If it is very sumptuous we may possibly find that, while much attention has been given to architectural styles, no one style predominates: we may see a Moorish room, a Japanese room, a Louis Quinze room, a seventeenth-century Dutch room, and perhaps even a Gothic room, forming a house to which it would be hard to give a name. But in almost all cases the rooms are similar in conception or, at least, if one or two are different they are immediately recognized as fanciful interpolations in a generally consistent scheme. And this scheme is based upon some form of that great development of art which we call Renaissance.

The name is a broad one. It covers all the work done in all the four centuries which elapsed between the perishing of Gothic art and the birth of the brief neo-Greek movement less than a hundred years ago; and during those centuries art was very much alive and therefore developed and modified itself persistently. But, throughout, all men worked together as the current ideal changed, and all sub-styles

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were united by one characteristic, determining thread—the use in modern, variously re-organized and transmuted ways of motives drawn from classic art.

Our home interiors, with few exceptions, now show our allegiance to Renaissance ideals. But if no more than this could be said it would not mean unity or even true harmony in impulse and results. More than this, however, can be said. They show our allegiance to those earlier, purer types of Renaissance work which best deserve the name and, indeed, when we speak with exactness, are the only ones we call by it in contrast to such later sub-styles as the "Palladian," the "Louis Quatorze," the "Louis Quinze," the "Queen Anne," and so forth.

But, you may ask, how long will this agreement last? Does not our brief architectural history show that fashion in styles is scarcely more permanent with us than fashion in clothes? Ten years hence may we not all be agreeing upon something that we do not especially care for to-day or, just as likely, again agreeing to disagree?

Perhaps so, but I think we may at least cherish a pretty strong doubt. I think a promise that our present preference will endure may lie in the fact that it has been instinctively rather than self-consciously developed. For does not this mean that we have chosen as we could not help choosing? We have not been impelled to build in this way by a mere theoretical consideration of the abstract claims of different styles, or by the persuasive words of any critical writer, or even by the example of any one conspicuous architect. While trying with an impartial hand a dozen different ways of designing we have hit, almost without knowing it, upon one that really serves. We now build almost all our houses in one fashion, not because we fancy it may be the best for us, but because in a keen competition it has actually proved the best.

It is instructive just here to remember that the only architect who has profoundly affected the American profession and public threw his influence against the style which, in domestic building, nevertheless prevails. We prefer Renaissance houses in spite of the fact that all Richardson's work had a distinctly Romanesque or Byzantine character. Under the immediate sway of his impressive personality and his magnificent talent, half the profession turned into his path with assured or stumbling steps; and the public, hitherto uninterested by architectural matters, showed a surprisingly strong interest in the new departure. Here, it seemed to us, lay the mine which our artists

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should work if an American style was to be born. Here were materials essentially novel, unquestionably attractive to the majority, and seemingly plastic enough to be moulded with the versatile touch that modern building problems require. Could anything more "original" be expected in these latter days of art? Could anything more pleasing to the public eye be found; or anything that might give a freer hand to the inventiveness which American architects have always shown and which, we believe, needs only to find the right channel to show itself as creative power? Thus many of us thought, and thus, I confess, some of us made bold to write.

But meanwhile, as we were trying to devote ourselves to Romanesque art, we did devote ourselves, in the branch where our work is most spontaneous, to art of a very different kind. It is not yet six years, remember, since Richardson died, and only sixteen since his influence began to be felt. We have not developed the seed he sowed, got tired of its flower, and in a spirit of reaction turned to another seed-bed for the materials of another "fashion." We have simply strayed away while thinking that our eyes were fixed upon him as our leader. It seems as though we must have confounded those underlying qualities of his work which proved him a great architect with those more superficial ones which expressed his personal feeling for a certain style. We thought he had shown us the virtues of the Romanesque style when what he had really shown us was the difference between weak, confused, commonplace, trivial buildings and buildings instinct with vigor, individuality, and beauty. We are not likely to forget his teaching with regard to the essentials of good architecture: in a greater degree than any one can estimate it has affected and will affect the work of the whole profession, the appreciative power of the whole public. Nor do I think that even as regards style his influence will be entirely outlived. There is a much closer kinship between early Renaissance work and early mediæval work than between the former and Gothic work. The Renaissance styles followed immediately upon the Gothic but they were not based upon them. They were based upon a study of classic architecture and so of course was early mediæval work. In calling our attention so strongly to Byzantine and southern Romanesque buildings it seems as though Richardson may have unlocked a forgotten treasure-house wherein the designers of future days will find inspirations and lessons which will enable them to make of modern Renaissance art something fresher, more individual, and more plastic than they would have produced had this great archi-

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tect never lived. If they remember merely how he showed that ornamentation may be executed in intaglio as well as in relief, and that strong effects of contrasted color are admirably suited to our bright sunshine and clear atmosphere, his choice of style will have had a conspicuous influence upon American art. But even the current work of Richardson's own pupils shows that we can hardly expect, as we did a dozen years ago, that Romanesque art will eventually rule in the land. Some of them certainly follow in his path with hearty enthusiasm. But very far away from it have travelled others designing, for example, the new Public Library in Boston, the Madison Square Garden, and the Judge Building in New York.

It would be interesting to inquire a little into the nature of Renaissance art as revealed by history and by current practice, and to explain some of the reasons why it has proved itself the best for our domestic use at least. But just now I can only ask a final question, leaving it unanswered as one which deserves to be thought about but can be authoritatively settled by Time alone:

If, almost unconsciously, we are coming to agree upon a style for our domestic work and if in our domestic work we most clearly and truthfully express ourselves, should we adopt this style in all other departments of architecture? Are we taught by a study of our homes that Renaissance art is the true art for modern men in America as well as in France, and that upon it will be based our "American architecture" if future conditions and native abilities ever combine to develop such a product?

M. G. Van Rensselaer.

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CHRISTMAS, AND AFTER: A SERMON.

And when they were come into the house they saw the young child . . . and fell down and worshipped him. . . .

And . . . they departed into their own country another way.—*St. Matthew*, ii. 11, 12.

THIS is told us of the Magi, or Wise Men, who came from the East to worship Christ. Indeed it is the last that is told us of them. When St. Matthew gives us this record of their return to their own country, the record, so far as they are concerned, is closed. They were "wise men from the East." Their studies had led them to expect the coming of Christ. When He is born they seek Him first in Jerusalem and then in Bethlehem, and when they have found Him, they offer their gifts of gold, frankincense and myrrh, their personal homage and worship. And having done this, they go on their way and we neither see them nor hear of them any more. To be sure, there are plenty of legends about them, and these legends are equally ingenious and contradictory. One legend says that they were Persians, another that they were Arabians, and yet another that they were Sabeans. They were three in number according to the most common tradition, but there is another tradition that there were a thousand of them. They were astrologers according to one prevalent belief; according to another they were kings. They were young men (*juvenis imberbis*, is the phrase of the Venerable Bede in speaking of Gaspar,—the name, he tells us, of one of them). They were old men. They were neither young nor old, but men in middle life. And when they had found the infant Jesus (to take one more legend as a specimen of all the rest), they went back to their own country and there remained in prayer and contemplation for thirty-three years. When the twelve Apostles leave Jerusalem after Christ's ascension, on their errand of preaching the Gospel, St. Thomas finds these Wise Men in Parthia. After hearing him preach they offer themselves for baptism and become missionaries of the new religion. And thus through them the Light that dawned in Bethlehem bursts at last in full-orbed splendor on all that Eastern world.

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So much for the legends. But they are only legends, we are told, with but the smallest shreds of proof or any fragment of contemporaneous confirmation. All that we know of the Wise Men is what we are told in this second chapter of St. Matthew's Gospel. They came up to Bethlehem from their far East, wherever it may have been, and brought their gifts and paid their homage and went back again. If they got any light from that manger-cradle of the infant Jesus, we have no means of knowing that they ever passed on that light to others. They emerge out of the darkness for a little, and then that darkness swallows them up again. So far as we are told, indeed, they left their own land and time as unillumined as they found them.

And yet, this visit of the Magi is called the Epiphany—ἐπιφάνεια—the shining round or abroad; and we call it so because, when the Magi saw the infant Jesus, Christ was manifested to the Gentiles, and the light—the out-shining, the disclosure—of the Saviour of the race was there vouchsafed to the pagan world. The Christian world of many names, and not always under those various names of very friendly mind toward one another, now commemorates the birth of a little Child, and of this Child it says that he came to dispel the gloom of life, and to make its dark places bright. The old pictures of the birth represent the rays of dazzling and unearthly splendor as streaming forth from His cradle, and that imaginative people closest to whom He was born symbolize that light-giving office of His religion in a very dramatic way. Go into a Greek or Russian church on the Feast of the Epiphany, and you will find it more dazzling and more splendid in its festal attire than at any other time in all the year. Neither Christmas nor Easter are celebrated with such lavish cost or such brilliant adornment. The altar is crowded with candles. Without the *iconostas* and within it, suspended from the roof, clustered on the columns, festooned on the walls, investing every shrine and picture and *icon*, in the hands of every worshipper—everywhere there are lights, by scores and by hundreds. It is thus, as those more dramatic Christians would imply, that on the Epiphany morning, heathendom was whirled as by a miracle out of the darkness of midnight into the full blaze of noonday glory.

And yet what were the facts? "And when" those eastern sages "had come where the young child was, they worshipped him," and then "they departed into their own country another way." That was the whole of it. What a small event it was in itself, and what small and insignificant consequences attended upon it!

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"Yes," there are some who stand ready to say, "Yes, and herein is this incident which you Christians call the Epiphany so apt a type of that Christian system of which Christmas and the Epiphany are parts. You tell us that Christianity has come into the world to make things light. Standing over against the problems that stagger so many earnest minds, whether they speak your Christian shibboleths or no, you tell us that, when the son of a Hebrew peasant lay cradled in a Judean stable, there dawned on the world a clew to its darkest perplexities. There are some of us—a good many of us—to whom life is very dark, and very stern, and very cruel. We find in the world obstacles to our peace and happiness which no vigilance of ours can conquer or elude. Death is in the world, and its arrows do not spare those whom we love nor those on whom we lean. Sin is in the world, and the hawk hunts the dove, the vulture rends his prey, the devil, in the garb of an angel of light, lures our best beloved to ruin. Life is a bitter and thankless struggle for most of us. The rich are too selfish and too impatient to listen to us, the prosperous are too complacent and too unsympathizing to understand us, and the future is not light but dark. Why did God make us—if He did make us—at all? Did you ever see a factory town? Do you know what is happening in the great manufacturing and commercial centres of Christendom this morning? Do you know how many human beings are perishing from want, or disease, or cold, under God's sky to-day, while you Christian people are singing your carols and hymns about Light, and the Manifestation of that Light among the Gentiles? If you have found the Light, why will you not show it to us, and, with it, show us a way out of our perplexities? You keep your Passion-tide and your Easter-tide and your Whitsun-tide, and we do not fault you. Whether your fables of the God-man, of His crucifixion, of His resurrection and the rest, be true or imaginary, they are still intrinsically beautiful and possibly helpful. But this conception of a Light that first shone in a manger and that has dawned upon the world to solve its problems and dispel its darkness—this really is a falsehood that insults our credulity and trifles with history. Your Gospel has been in the world now for nearly nineteen times a hundred years, and what is the light that it has thrown on facts concerning which men are most in the dark? It is easy enough to name those facts—they are God and Duty and Destiny. Men had some dim conceptions of these things before Christianity entered the world. How has Christianity lifted and cleared and illumined those ideas? Take

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the old pagan conceptions of the character of God. Will anybody pretend that most of them have not taken on a new lease of life in the pages of Christian theologians? Say that the Indian Juggernaut is an incarnation of the Hindoo's conception of what is pleasing to God —how is it worse than Jonathan Edwards's conception of what would be pleasing to God's elect? Take both the pre-Reformation and the post-Reformation popular conceptions of the Divine Decrees,—do either really illumine the character of a just God? And so of Duty. You tell us that the heathen erected the most monstrous rites and the most infamous cruelties into the sphere of religious duties. What do you say of the Spanish Inquisition and the Salem witch-burnings? Read how the Puritans treated Archbishop Laud, and then remember that these were the men who never rode into battle without a copy of the New Testament in their breast pockets.

"And finally of Destiny. This Epiphany of yours has, you say, brought not only God and Duty out of the darkness, but supremely Destiny. Well, can any one of you tell us where we are going, and how long we shall stay there? Will you find us any church, any priesthood, any theology, that will agree upon a meaning for the words Heaven and Hell and Everlasting? Will you show us any two sects or parties or communions that in discussing that last word will spare one another disparaging epithets and vouchsafe to us a reasonable certainty? And yet Christ has come into the world, you tell us, to bring it light, and this is the season of the Epiphany!"

Yes, my brother. This Christmas-tide introduces the season of the Epiphany and Christ is the Light of the World. When the Magi knelt beside His cradle in Bethlehem there broke on heathendom a light to lighten the Gentiles, and the glory of God's people, Israel. Since then, that light has never gone out, nor has the circumference of its influence ceased to spread and widen. Doubtless it might have spread more rapidly and shone more brightly and clearly,—have you ever stopped, now, to consider why, in fact, it has not? The explanation is not hard to find nor is it difficult to understand. Briefly it is this: All divine ideas, disclosures, revelations, call them what you will, practically depend for their propagation upon the human agencies through which they are propagated. Some twenty centuries ago there dawned on the world a Being who brought into it something that the world had never seen before. A life was lived in that far-off Judea, a life was ended and re-assumed there, under conditions singular and unparalleled. That life has been, ever since then, the strongest spell upon human hearts

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and the mightiest influence in human society. But to whom has it been left to interpret and translate it? Not to angels, for there are none in the world, but to men.

Now then, it must be remembered that whatever divine thing "becomes incorporated into human society, thus becoming a part of its daily association and life, assumes inevitably the image, not of the inventor or revealer of the idea, but of the holder of the idea at second-hand."* Let me make my meaning clear by an illustration which none of us can easily mistake. Marriage is a divine idea, or, as we commonly prefer to call it, a divine institution. St. Paul in his Epistle to the Ephesians likens it to the union between Christ and the Church. It is something older than the Church, ordained by God Himself. As we look at it (as the Apostle sketches it), what a gracious and heavenly fellowship it is! As we look at it, as history has preserved the records of it in the lives of heroic men and saintly women, what a beautiful and benignant thing it is! But when James Hinton, that gifted Englishman who died not long ago, was asked how he came to write that wonderful book of his, "The Mystery of Pain," he answered: "I think it was pressed out of me by the horrors of Whitechapel, where, when a youth, I was condemned day after day to see how cruelly and brutally and habitually a man could beat his own wife." We are fond of feeding our humor with the questionable jests that grow out of the quarrels, the neglectfulness, the resentments, the recriminations that arise in family life. We have scores of proverbs that have crystallized into stinging emphasis the infirmities of men who are husbands and the foibles of women who are wives. But do all these things prove the evil of the institution itself, or the folly of its continued maintenance? Because every one of them is true does any one of us seriously believe that society would be a better or happier or nobler thing if this same institution, out of which has come to so many human beings (chiefly for the reason that they have chosen to misunderstand or pervert it) so much misery,—does any one of us believe, I ask, that society would be bettered or ennobled if this institution were abolished and the world should return to the ideas of barbarism and the customs of savages? Are we in any doubt that such a relation works wretchedness and not blessedness, wherever it does so, simply and supremely because human nature has chosen to wrest and distort it? Does it make God's order

* See a striking discourse by Professor David Swing to whom in this and many other connections I am glad to have an opportunity to acknowledge my indebtedness.—H. C. P.

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any less divine or gracious that men and women will not use and improve it as He meant them to?

Nay, what human institution is there, of which the universal judgment of mankind approves, of which, nevertheless, immeasurably worse uses have not been made than men have made of the Light revealed in Bethlehem? Is there any rational mind that does not approve of that institution, that order or ordinance, which we know as government? Is civilization, is the safety of life or of property, or the right of the individual to the peaceful pursuit of his daily calling possible without government? And yet the moment that you have named that one word "government," what a long procession of tyrannies and wrongs and injustices rises up before the mind's eye! What cruelties has it shielded, what infamies has it enthroned, what atrocities has it justified! But would any one be guilty of the egregious folly of saying, "Governments stand for the butcheries of Nero and the tyrannies of Caligula and the revenges of Catherine and the ambitions of Napoleon, and so let us have done with governments forever"? Nay, to come closer home, we have been told by one of the greatest living statesmen that our American Constitution is almost the most perfect instrument which the wit of man has ever devised. And yet have we found that universal suffrage, and a State without religion, and the free education of the people have brought the millennium so close that we can unlock our bank-vaults and disband our municipal police? Is it said that the clergy are forever wrangling and disputing about the Trinity, and the Atonement, and the word "everlasting," and that it can hardly be expected that the Revelation which they extol will greatly help the world, until they who are its guardians shall be agreed upon its meaning? Well, here is a document, our American Constitution, written not in a dead tongue by a vanished race to an extinct people, but written almost within our own century by our own countrymen in our own tongue for our own government; and yet some of our ablest statesmen have thus far been unable to determine whether that document permits or forbids such a relatively simple thing as the system of national banks! Is it not worth while in view of such considerations, which might easily be multiplied indefinitely, that this criticism of what those who utter it choose to call the "practical outcome of Christmas and Epiphany," should be somewhat chastened?

For to what conclusion does a wider view of the whole subject lead us but this—that the moment any Divine Light breaks upon the

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world it must take its chance with such human agencies as it finds at hand for its propagation? Think now of the ignorance, the delusion, the superstition on which the Christ of history dawned. The men who knelt at the cradle of the infant Saviour were called "Magi"—the wise men, the scholars, the scientific leaders of their time. Compared with the average culture and intelligence about them they were kings, at any rate in the superiority of their learning and attainments. And yet there is not in Christendom a boy of twelve years old to-day to whom their notions of astronomy, of chemistry, of theology, if he could know them, would not seem so utterly wild as to be ludicrous. Nevertheless it was through such dense layers of ignorance that the Divine Idea had to force its way and push its progress. Think what misapprehensions, what misunderstandings, what misstatements from those who have been its honest and earnest advocates this Gospel has had to survive! Consider in your own experience—how you have misread the printed page, or mistaken the voice of the living teacher when they have striven to explain it to you. Every clergyman thinks when he has preached a sermon that he has set at least one aspect of Christian truth in a clear and exact form before the minds of his hearers. Of course he has not. Of course he has at best only set his fragmentary and individual view of the truth before them. And if he could know in how many instances his words have had to his hearers an utterly wrong meaning, and in how many more they have had no meaning at all, he would perhaps give up preaching in despair and abandon his pulpit altogether.

And yet in spite of all these inevitable obstacles in poor human nature, how the spark that was kindled at yonder cradle has grown and spread and widened. "And they departed into their own country another way." We know why they went another way. They must avoid King Herod and his murderous conspiracy. But, as we look back along the shining path of Christian history,—shining in spite of its blunders and its superstitions,—does not that "other way" become the prophecy of paths untrodden then, by which those Gentile feet and their children's children's were from henceforth to walk forever? Once they had stumbled along a way in which no Shining Light showed them the path, nor any Love incarnated in human form went on before them. But now they saw a human form, and heard a voice, human, but not more human than divine, which said, "I am the Way and the Truth and the Life; he that followeth me shall not walk in darkness."

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And that Life is still in the world, and in its thickest darkness is still the surest Light. Its progress has indeed been slow, because men have so poorly understood it, and because human passion and prejudice and self-will have so imperfectly translated it. But the Light *is* shining and it shineth more and more unto the perfect day. Look back a few hundred years, and see what conceptions theology had of God and of human nature and of human destiny, and then compare those conceptions with the Christian sentiment and Christian theology of to-day. It is not a hundred years since a venerable teacher wrote, "As in a hive of bees only one among the many thousands has the happiness to be queen, so with men, only one soul is saved out of thousands upon thousands doomed to the flames of hell." Says the Augsburg Confession of Faith, the great Protestant symbol of belief promulgated by the Reformers of Germany, "We condemn the Anabaptists who assert that unbaptized infants can possibly be saved." Said the Council of Trent, "If a man believe not every word of the Apocryphal story of Bel and the Dragon to be divinely inspired, let him be damned everlastingly." Is the spirit of our common Christianity no more tolerant, no more hopeful, no more rational and discriminating than this, to-day? Is not the Bible more truly a living Book? Is not the Christ of the New Testament more really a sympathizing, compassionate, and helpful Saviour than the harsher vision of other generations was wont to see Him? And is not the influence of His Spirit more broadly, more generally, and more profoundly felt than in any other age in human history? Surely these are questions which, whatever evils may still survive in the world,—and God knows they are not a few,—no one of us can find any honest difficulty in answering.

For not alone is there a kindlier spirit in the world to-day; there is a more self-effacing and a more hopeful one. "It is easy," it may be said, "to have an invertebrate theology which drops out of its belief the wholesome rigors of our fathers' creeds, but what is this but to emancipate society from unpleasant moral restraints and to dismiss people to a life of selfish ease?" But is that a life of selfish ease which is being spent by millions of men and women to-day in the service of their less fortunate fellows? If anybody thinks that Christmas and Epiphany mean only Santa Claus and candles, sugar and sentiment, let him go and stand in the police courts of New York and see a modest woman there who is watching, day after day and week after week, for her wayward and sin-stained sisters. Let him follow

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her along the streets at night as she hastens after some poor child of shame who is plunging down into some low "dive," there to perish, body and soul, amid its foul fumes. Let him see such an one, and their name is legion wherever the name of the Babe of Bethlehem has gone, counting no fellowship too vile, no errand of mercy too hopeless, no life of poverty and hardship too austere, if only they may kindle in another breast that inextinguishable hope and joy which has waked to life in their own. What do they do it for? Can money buy such service? Can the love of fame kindle such an enthusiasm? Can a righteous resentment because of the wrongs that others have endured sustain such men and women as these? It is in vain that we strive to account for such an ardor until we own the spell of that Light "that never was on land or sea," that has enkindled it.

And if, in our own observation or experience this has not always been the case, then we need not be greatly in doubt as to the obstacles which are in the way. If it be true that, though Christ has entered it bringing into it the light of a Divine Life, the world is not growing brighter, then it must be because those to whom He has brought that light are so unwilling to receive it, or else so reluctant to reflect it. Blessed be God! there are those who do receive it and reflect it, even as there are in nature certain substances that have supremely what may be called a diaphanous quality. They receive the light, but they receive it only the more graciously and widely to diffuse it. And like such substances are certain men. One of them went to his rest not a great while ago, after having done a work in our chief American city whose beneficent influence cannot easily be measured.* Himself the author of that remarkable work, "*Gesta Christi*"—the spirit of that Divine Personality to which his pen paid such convincing tribute shone through all that he was no less clearly than through all that he wrote. To the newsboys of New York,—no very ductile material to the touch of a mere amateur in philanthropy,—he was a true friend and a most potent and persuasive teacher and exemplar. The low places of the world were brighter because he walked through them, and his benignant presence and engaging speech are still a spell in countless hearts by which they will never be forgotten. Men and boys who knew only the name of Christ as one with which to point an oath learned to know the meaning and the power of that incomparable Life through the beauty and the benefi-

* Charles Loring Brace, for many years secretary of the Children's Aid Society of New York.

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cence, the sweetness and the light, of that other life which, in Charles Brace, came so close to their own. Yes, there have been diaphanous men, men who have let their light shine. And to-day the world is richer because, for a while, such men as he lived in it, even as they who stay behind are poorer when they go out of it.

And thus we see how the Christmas-fact and the Epiphany manifestation of it are each of them blessed and pregnant realities. The Light has dawned and the Sun is risen. Happy they who will consent to bring their wayward and darkened natures to Him who shone with such enkindling and convincing light upon those lowly seekers from the East; and, when with them in His light they have found light, then to "let their Light so shine before men that men may see their good works and glorify their Father which is in heaven!"

HENRY C. POTTER.

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ESTIMATES OF NEW BOOKS.

HISTORY AND TRAVEL.—Field-Marshal von Moltke's compact and popular history of *The Franco-German War of* 1870-71 (Harpers), which has been published serially in this country since his death, is issued in a handsome volume in the translation of Clara Bell and H. W. Fischer. The present Count von Moltke, in explaining the origin and purpose of the work, says: "This work, which was undertaken in all simplicity of purpose, as a popular history, is practically from beginning to end the expression of a private opinion of the war from the Field-Marshal himself."——After considerable delay H. Morse Stephens has issued the second volume of his *History of the French Revolution* (Scribner), covering the period from the opening of the Legislative Assembly of 1791 to the close of the year 1793, and including the Girondin ministry, the massacres of September, and the Reign of Terror. The author's aim has been to write "a fairly veracious picture of the period, a mere sober study in black-and-white, aiming neither at Venetian color nor Impressionist dash." It will be completed in a third volume.——This same period from a different point of view is pictured in a newly translated volume of the series on "Famous Women of the French Court," by Imbert de Saint-Amand—*Marie Antoinette and the Downfall of Royalty* (Scribner). Mrs. Elizabeth G. Martin is the translator.——The scope and quality of George Kennan's wonderful Siberian articles are so well known that they need not be referred to in these brief notes. It is enough to say that, revised and enlarged, they have been issued in two volumes, under the title *Siberia and the Exile System* (The Century Co.). The original engravings are reproduced and the whole work is printed in the artistic manner of the De Vinne Press.——Another of those very handsome volumes which magazine enterprise makes available in book-form at a reasonable price is Sir Edwin Arnold's *Japonica* (Scribner) with Robert Blum's original illustrations. This volume gives a sympathetic and admiring account of the country, the people, and their ways and thoughts, as they appear at the present day to an eminent English man-of-letters and poet.——Amelia B. Edwards has revised the lectures on Egyptian subjects which she delivered some months ago in America and has put them in a volume entitled *Pharaohs, Fellahs, and Explorers* (Harper). There are more than one hundred illustrations, and notes and index. The topics principally discussed are the ancient cities, the painting, sculpture, and literature of Ancient Egypt, with a chapter on the origin of Greek decorative art in Egypt, *à propos* of Mr. Goodyear's recent discoveries in regard to the lotus flower in ancient art.——Max O'Rell's *Frenchman in America* (Cassell) is the random notes of a lecturer who has travelled rapidly throughout the country, seen a great many things, and heard some good stories. He is good-natured, if superficial. Mr. E. W. Kemble's illustrations are better than the text.——Helen Mather embodies

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the light and agreeable records of her vacation journal in *One Summer* in Hawaii (Cassell).

AMERICAN HISTORY AND BIOGRAPHY.—In an octavo volume of more than six hundred pages, handsomely printed and bound, Justin Winsor, Librarian of Harvard College, presents a most admirable biography of *Christopher Columbus* (Houghton) which is based on the best authorities, and puts in a scholarly yet popular form all that is known of the great discoverer. The preliminary chapters on the original sources, and the biographers, portraits, and ancestry of Columbus throw much light on the necessary limitations of the biography. This author summarizes his view of the character of Columbus in a few pithy sentences: "Hardly another character in the world's record has made so little of its opportunities. His discovery was a blunder; his blunder was a new world; the New World is his monument! Its discoverer might have been its father; he proved to be its despoiler."——The fifth and final volume is published of James Schoulers's *History of the United States of America under the Constitution* (Dodd, Mead & Co.). It covers the period from 1847 to 1861, the most critical in the country's history. As a compact, accurate, and interesting history, this work, which has been long in progress, has won the commendation of the best authorities.——The Rev. Alexander Crummell, of Washington, has collected a heterogeneous volume of addresses and discourses under the title *Africa and America* (Willey & Co.). As a negro clergyman he discusses a number of questions which are of considerable historical importance, especially to his own race. Among them are the race-problem, the black woman of the South, a defence of the negro race in America, and our national mistakes.——A work of great research in a little explored field is Prof. William Graham Sumner's two octavo volumes on *The Financier and the Finances of the American Revolution* (Dodd, Mead & Co.). The author's plan is to make the groundwork a biography of Robert Morris, about whom the great financial operations of that period centred. These are explained clearly and with sufficient detail, although, the author declares, an adequate account is impossible, as the most important record of the financial administration between 1775 and 1781 are lost.——Two more volumes have been added to the useful series on the "Makers of America," (Dodd). Prof. Barrett Wendell of Harvard College has written with earnestness and sympathetic admiration of *Cotton Mather*. His aim has been to put himself as a judge in the times and environment of Cotton Mather, and estimate him from that point of view. Where possible he has made him tell the story of his own life by extracts from his diaries and published works. The biographer's own estimate is that Cotton Mather was no doubt a hasty, passionate, indiscreet man, but "the better I know him, the more firmly I believe that from beginning to end he meant to be honest."——Joseph Hopkins Twichell has written the biography of *John Winthrop*, the first Governor of Massachusetts, in the same series, following as his chief authority Winthrop's own Journal. The biographer's conclusion is that Winthrop was primarily a man of religion, in whose eyes Massachusetts was, before all else, a Church. But in his moderating influence between the autocratic and democratic elements he was a prototype of Abraham Lincoln, and the "pre-eminent representative in the Massachusetts colony of the idea of independent self-government."

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WRITERS AND SUBJECTS IN THE JANUARY FORUM.

THE LOUISIANA LOTTERY: SHALL ITS CHARTER BE RENEWED? Judge FRANK MCGLOIN. Judge McGloin was born in Louisiana and is one of the most highly respected members of the judiciary of that State, being a judge of the Court of Appeals. He has long been an active opponent of the Louisiana Lottery Company.

THE LOUISIANA LOTTERY: A HISTORY OF THE COMPANY. JOHN C. WICKLIFFE. Mr. Wickliffe also is a native of Louisiana and a prominent lawyer and editor in New Orleans, and one of the foremost men in the movement against the Louisiana Lottery Company.

THE POPE AND THE FUTURE OF THE PAPACY. Prof. F. HEINRICH GEFFCKEN. Professor Geffcken was born in Hamburg, Germany, in 1830. He is professor *emeritus* of international law in the University of Strasburg. He became widely known several years ago through his imprisonment and trial upon a charge of high treason by Prince Bismarck for the publication of the diary of the late Emperor Frederick. Professor Geffcken is one of the foremost European political writers.

THE SECRET BALLOT IN THIRTY-THREE STATES. JOSEPH B. BISHOP. Mr. Bishop was graduated at Brown University in 1870. After thirteen years' service on the "New York Tribune," in 1883 he became an editorial writer on the "New York Evening Post." He has made a special study of the ballot-reform movement since its beginning, and was a prominent advocate of it before its adoption by any State.

BRAZIL: THE LATE CRISIS AND ITS CAUSES. COURTENAY DE KALB. Mr. De Kalb was born in Virginia in 1861. He is a mining engineer, and has travelled much and lived in Brazil and other South American countries, of whose affairs he has been a close student. His writings on South American subjects in "The Nation" and other periodicals have attracted attention both here and abroad, and many of them have been translated into Spanish and republished in South America.

WHY THE SILVER LAW SHOULD BE REPEALED. GEORGE S. COE. Mr. Coe has been a banker for fifty years, and for thirty-seven years president of the Exchange National Bank in New York City.

THE TREATY OF BRUSSELS AND OUR DUTY. Judge LAMBERT TREE. Judge Tree, of Chicago, was born in Washington city in 1832 and was educated at the University of Virginia. He was twice elected to the circuit bench, and in 1885 he was appointed by President Cleveland as minister to Belgium, and in 1887 promoted to the Russian mission.

HERESY TRIALS AND THE BRIGGS CASE. The Rev. Dr. PHILIP SCHAFF. Dr. Schaff was educated at the universities of Tübingen, Halle, and Berlin. In 1842-44 he lectured on church history in the University of Berlin, and in 1844 he accepted a professorship in the seminary of the German Reformed Church at Mercersburg, Pa. The next year he was tried for heresy, but was acquitted. In 1863 he removed to New

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York City where since 1870 he has held a professorship in the Union Theological Seminary. Dr. Schaff is one of our most learned theological writers.

THEOLOGICAL EDUCATION AND ITS NEEDS. Rev. Dr. CHAS. A. BRIGGS. The Rev. Dr. Briggs was born in New York City in 1841. He was educated at the University of Virginia, The Union Theological Seminary in New York, and at the University of Berlin. In 1874 he became a professor in the Union Theological Seminary. He has written much on Biblical subjects; and he was recently tried for heresy, as explained in the Rev. Dr. Schaff's paper in this number of THE FORUM.

PENSIONS AGAIN: TIME TO CALL A HALT. Gen. HENRY W. SLOCUM. General Slocum is a graduate of the United States Military Academy and he served four years in the regular army. In 1856 he resigned and began the practice of law in Syracuse, N. Y. At the beginning of the civil war he volunteered; was appointed colonel, May 21, 1861; later, brigadier-general of volunteers, and thereafter major-general. He participated in all the great battles of the Army of the Potomac, and at Gettysburg, where he was in command of the right wing of the army, he contributed largely to the Union victory. He served with Sherman in Georgia and the Carolinas, and his corps was the first to enter Atlanta. In September, 1865, he resigned from the army and resumed the practice of law in Brooklyn, N. Y., and served several terms in Congress. General Slocum has for years been identified with the Grand Army of the Republic.

THE HEALTH OF THE SURVIVORS OF THE WAR. Dr. JOHN S. BILLINGS. Dr. Billings was appointed in 1861 acting assistant surgeon in the United States Army. During the first three years of the war he had charge of military hospitals in Washington and Philadelphia. Later he was medical inspector to the Army of the Potomac, and since December, 1864, he has served in the surgeon-general's office in Washington.

HAS CRIME INCREASED IN MASSACHUSETTS? WARREN F. SPALDING. Mr. Spalding, a native of New Hampshire, after many years' experience as a writer for newspapers in Boston, in 1879 was chosen secretary of the Massachusetts State Board of Commissioners of Prisons. He was appointed general superintendent of prisons of Massachusetts in 1887, and he organized the present prison labor system. For nearly two years he has been secretary of the Massachusetts Prison Association. He has been a careful student of the statistics of crime.

THE DEVELOPMENT OF AMERICAN HOMES. Mrs. SCHUYLER VAN RENSSELAER. Mrs. Van Rensselaer was born in New York City, where she now lives. She has devoted herself to the study of art, especially of architecture. She is the author of "American Etchers" and has written a life of Richardson, the architect.

CHRISTMAS AND AFTER: A SERMON. The Rt. Rev. HENRY C. POTTER. Bishop Potter was born in Schenectady, N. Y., in 1835. He was educated at the Episcopal Theological Seminary of Virginia, and he was rector successively of churches at Greensburg, Pa., and Troy, N. Y., assistant rector at Trinity Church, Boston, and rector of Grace Church, New York. In 1883 he became assistant to his uncle, the late Bishop Horatio Potter, whom he succeeded as Bishop of New York.

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